

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK

3 XIAMIN ZENG,

4 PLAINTIFF,

5 -against-

Case No:  
19-CV-3218 (JGK) (KHP)

6 THE CITY OF NEW YORK, DETECTIVE DANIELLE FEBUS, [RANK  
7 FY20000], INSPECTOR JOHN CHELL, DETECTIVE GARY DENEZZO  
8 [RANK FY20000], SERGEANT GEORGE TAVARES, (#5354), POLICE  
9 OFFICER IRWIN LUPERON (SHIELD NO #27763), POLICE OFFICER  
ERLENE WILTSHIRE (SHIELD NO. #24340), and POLICE OFFICER  
CHRISTOPHER ROBLEY (#23263), in both their individual and  
professional capacities,

10 DEFENDANTS.

11 -----X  
12  
13 DATE: September 8, 2022  
14 TIME: 10:05 A.M  
15  
16

17 VIRTUAL DEPOSITION of the Plaintiff,  
18 XIAMIN ZENG, taken by the Defendants, pursuant to a Court  
19 Order and to the Federal Rules of Civil Procedure, held at  
20 the above date and time, before Joanne Capparelli, a Notary  
21 Public of the State of New York.  
22  
23  
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<p style="text-align: right;">Page 2</p> <p>1 APPEARANCES:</p> <p>2</p> <p>3 SIM &amp; DEPAOLA, LLP</p> <p>4 Attorneys for Plaintiff</p> <p>5 XIAMIN ZENG</p> <p>6 42-40 Bell Boulevard</p> <p>7 Bayside, New York 11361</p> <p>8 BY: YUTING ZHANG, ESQ.</p> <p>9</p> <p>10 HON. SYLVIA O. HINDS-RADIX</p> <p>11 CORPORATION COUNSEL</p> <p>12 NEW YORK CITY LAW DEPARTMENT</p> <p>13 Attorneys for Defendants</p> <p>14 THE CITY OF NEW YORK, DETECTIVE DANIELLE FEBUS</p> <p>15 [RANK FY2000], POLICE OFFICER ERLINE WILTSHIRE</p> <p>16 (SHIELD NO #24340), in both their individual and</p> <p>17 professional capacities</p> <p>18 100 Church Street</p> <p>19 New York, New York 10007</p> <p>20 BY: JEFFREY FRANK, ESQ.</p> <p>21 File #: 2019-032836</p> <p>22 Control #: 22-2217</p> <p>23</p> <p>24 ALSO PRESENT</p> <p>25 SARAH CHIANG - Interpreter</p> <p>26</p> <p>27 * * *</p>	<p style="text-align: right;">Page 4</p> <p>1 THE REPORTER: Due to the need for this</p> <p>2 deposition to take place remotely because of the</p> <p>3 Government's order for social distancing, the</p> <p>4 parties will stipulate that the court reporter</p> <p>5 may swear in the witness over the phone/Veritext</p> <p>6 virtual videoconference and that the witness has</p> <p>7 verified that she is in fact Xiamin Zeng.</p> <p>8 SARAH CHIANG, a Mandarin interpreter, solemnly</p> <p>9 swore to translate the following questions from English to</p> <p>10 Mandarin and answers from Mandarin to English:</p> <p>11 XIAMIN ZENG, called as a witness, having been</p> <p>12 first duly sworn, through an interpreter, by a Notary</p> <p>13 Public of the State of New York, was examined and testified</p> <p>14 as follows:</p> <p>15 EXAMINATION BY</p> <p>16 MR. FRANK:</p> <p>17 Q. Please state your name for the record.</p> <p>18 A. Xiamin Zeng.</p> <p>19 Q. Good morning. My name name is Jeffrey Frank. I</p> <p>20 am an attorney for the City of New York. I represent</p> <p>21 defendants City of New York, Detective Danielle Febus and</p> <p>22 Police Officer Wiltshire.</p> <p>23 Today I will be asking you questions regarding an</p> <p>24 incident that occurred on January 31, 2018. Before we begin</p> <p>25 the deposition I'm going to explain some basic guidelines</p>
<p style="text-align: right;">Page 3</p> <p>1 FEDERAL STIPULATIONS</p> <p>2</p> <p>3</p> <p>4 IT IS HEREBY STIPULATED AND AGREED by and between</p> <p>5 the counsel for the respective parties herein that the</p> <p>6 sealing, filing and certification of the within deposition</p> <p>7 be waived; that the original of the deposition may be</p> <p>8 signed and sworn to by the witness before anyone authorized</p> <p>9 to administer an oath, with the same effect as if signed</p> <p>10 before a Judge of the Court; that an unsigned copy of the</p> <p>11 deposition may be used with the same force and effect as if</p> <p>12 signed by the witness, 30 days after service of the</p> <p>13 original &amp; 1 copy of same upon counsel for the witness.</p> <p>14</p> <p>15 IT IS FURTHER STIPULATED AND AGREED that all</p> <p>16 objections except as to form, are reserved to the time of</p> <p>17 trial.</p> <p>18</p> <p>19 * * * *</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 5</p> <p>1 that will help make a clear record.</p> <p>2 First, please give verbal responses to my</p> <p>3 questions so don't say um-um and do not nod or shake your</p> <p>4 head. That way the court reporter can transcribe your</p> <p>5 response. Do you understand?</p> <p>6 A. Understood.</p> <p>7 Q. Please keep your voice up and speak clearly so</p> <p>8 that the court reporter can transcribe the deposition</p> <p>9 accurately. Do you understand?</p> <p>10 A. I understand.</p> <p>11 Q. If there is a question you don't understand</p> <p>12 please let me know and I will repeat the question or</p> <p>13 rephrase it. Do you understand?</p> <p>14 A. Yes, understood.</p> <p>15 Q. Unless you tell me otherwise I will assume that</p> <p>16 you have understood and heard my questions.</p> <p>17 Do you understand?</p> <p>18 A. Understood.</p> <p>19 Q. Please wait for me to finish my question</p> <p>20 completely and for your translator to finish translating it</p> <p>21 completely before you answer so that the court reporter can</p> <p>22 transcribe the full question and full answer; do you</p> <p>23 understand?</p> <p>24 A. Yes.</p> <p>25 Q. Do you understand that you have taken an oath to</p>

## ZENG

<p style="text-align: right;">Page 6</p> <p>1 tell the truth during this deposition?</p> <p>2 A. Yes. Understood. I know.</p> <p>3 Q. Do you understand that even though we are not in</p> <p>4 a courtroom the oath that you took today is the same oath</p> <p>5 you take as a witness in a courtroom if this case goes to</p> <p>6 trial?</p> <p>7 A. Understood.</p> <p>8 Q. Lastly, if you need to take a break at any point</p> <p>9 please let me know but first you have to answer any answer</p> <p>10 before we take a break; do you understand that?</p> <p>11 A. Yes. Understood.</p> <p>12 Q. Do you understand and agree to these guidelines</p> <p>13 as a whole?</p> <p>14 A. Yes, I agree.</p> <p>15 Q. Is there any reason why you cannot testify fully</p> <p>16 and truthfully today?</p> <p>17 A. No.</p> <p>18 Q. Are there any physical conditions that could</p> <p>19 interfere with your testimony today?</p> <p>20 A. No.</p> <p>21 Q. Are there any mental conditions that could</p> <p>22 interfere with your testimony here today?</p> <p>23 A. No.</p> <p>24 Q. Have you taken any prescription medication or</p> <p>25 over the counter medication within the last 48 hours?</p>	<p style="text-align: right;">Page 8</p> <p>1 A. China. Shanghai.</p> <p>2 Q. We'll only include the last four digits in the</p> <p>3 record but what is your social Security number?</p> <p>4 A. XXX-XX-9901.</p> <p>5 Q. Have you ever used a different Social Security</p> <p>6 number?</p> <p>7 A. No.</p> <p>8 Q. What is your height and weight today?</p> <p>9 A. I'm 5'4 and my weight is about 145 pounds.</p> <p>10 Q. Were you the same height and weight on the day of</p> <p>11 the incident, January 31, 2018?</p> <p>12 A. I gained 20 something pounds since then; my</p> <p>13 height remained the same.</p> <p>14 Q. What age were you on January 31, 2018?</p> <p>15 A. 37?</p> <p>16 Q. Are you married?</p> <p>17 A. Right now, no.</p> <p>18 Q. Were you married previously?</p> <p>19 A. No.</p> <p>20 Q. Did you have any children at the time of this</p> <p>21 incident, January 31, 2018?</p> <p>22 THE INTERPRETER: Say that again.</p> <p>23 Q. Did you have any children at the time of the</p> <p>24 incident, January 31, 2018?</p> <p>25 A. Yes.</p>
<p style="text-align: right;">Page 7</p> <p>1 MS. ZHANG: Objection. You can answer.</p> <p>2 A. No.</p> <p>3 Q. Have you consumed any alcoholic drinks within the</p> <p>4 last 24 hours?</p> <p>5 A. No.</p> <p>6 Q. Have you used any drugs within the last 24 hours</p> <p>7 including marijuana?</p> <p>8 A. No.</p> <p>9 Q. Is there any other reason you cannot give full</p> <p>10 accurate and truthful testimony here today?</p> <p>11 A. No.</p> <p>12 Q. What is your native language?</p> <p>13 A. Chinese.</p> <p>14 Q. Are you able to read English?</p> <p>15 A. Some.</p> <p>16 Q. Are you able to speak English?</p> <p>17 A. Some.</p> <p>18 Q. I'm going to move onto some background questions</p> <p>19 before we get into the details of the case.</p> <p>20 What is your date of birth?</p> <p>21 A. September 9, 1981.</p> <p>22 Q. Have you ever given your birthday as anything but</p> <p>23 September 9, 1981?</p> <p>24 A. No.</p> <p>25 Q. Where were you born?</p>	<p style="text-align: right;">Page 9</p> <p>1 Q. How many?</p> <p>2 A. One.</p> <p>3 Q. We'll redact everything other than the first</p> <p>4 initials but what is your child's first name?</p> <p>5 A. L.L.</p> <p>6 Q. Was L living with you on January 31, 2018?</p> <p>7 A. Yes.</p> <p>8 Q. Was L's father living with you at that time?</p> <p>9 A. No.</p> <p>10 Q. Do you know where he was living?</p> <p>11 A. I don't know.</p> <p>12 Q. Did you know your son's father prior to</p> <p>13 January 31, 2018?</p> <p>14 A. I don't understand your question.</p> <p>15 MR. FRANK: I'll rephrase.</p> <p>16 Q. Did you have a relationship with the father of</p> <p>17 your son at any point?</p> <p>18 A. So before 2018 we were not together. We hadn't</p> <p>19 been together for a long time.</p> <p>20 Q. When were you last together?</p> <p>21 A. 2013.</p> <p>22 Q. What is the father's name?</p> <p>23 A. Gang Liu. L-I-U.</p> <p>24 Q. Why, just briefly, why did that relationship end?</p> <p>25 MS. ZHANG: Objection. You can answer.</p>

## ZENG

<p style="text-align: right;">Page 10</p> <p>1 A. Because previously he had domestic violence  2 towards myself and the son so that's why we separated.  3 Q. When was the last time you had contact with Gang  4 Liu?  5 A. We left him in August of 2013. Other than  6 attending the court we never stay in touch with him.  7 Q. When you say attending the court, what do you  8 mean, why were you there?  9 A. So it's for the kid's -- child support and the  10 alimony that he took to the court. He need to visit the  11 child.  12 Q. Did you initiate that court action?  13 A. Yes.  14 Q. How did that conclude?  15 A. So I have the -- he has no right to visit the  16 child and I have the -- I mean support of the child.  17 Q. When did the court case reach that conclusion?  18 A. 2019.  19 Q. About how many times did you have to go to court  20 over that dispute?  21 A. Once every couple of months.  22 Q. That's once every couple months from 2013 to  23 2019?  24 A. Yes.  25 Q. What is your eyesight like?</p>	<p style="text-align: right;">Page 12</p> <p>1 A. Not on that day but during that period of time,  2 yes.  3 Q. Had anyone else lived in that apartment with you  4 other than your mother and your son?  5 A. No.  6 Q. What is your highest level of education?  7 A. College graduate.  8 Q. Where did go to school?  9 A. Shanghai. John J-I-A-O-T-O-N-G.  10 Q. What degree did you graduate with?  11 A. Business administration.  12 Q. Do you have any specialized training?  13 A. Some.  14 Q. In what?  15 A. Nurse aide. Office and nurse aide trainee.  16 Q. Where did you receive nurse aide training?  17 A. In New York.  18 Q. What school in New York?  19 A. New York Medical Center in midtown.  20 Q. Have you ever played any kind of sports?  21 A. You mean now or previously?  22 Q. At any point during your life?  23 A. I did yoga.  24 Q. Anything else?  25 A. Jogging.</p>
<p style="text-align: right;">Page 11</p> <p>1 A. My vision is okay.  2 Q. Do you wear glasses?  3 A. No.  4 Q. Have you ever been known by any name other than  5 Xiamin Zeng?  6 A. Amy Zeng. I also use Amy but I also --  7 MS. ZHANG: It's Amy Xiamin Zeng.  8 Q. Do you have a middle name?  9 A. No.  10 Q. Again we'll redact parts of this from the record  11 but what is your current address?  12 A. New York, New York.  13 MR. FRANK: Counsel, we can redact everything  14 other than city and state; is that okay?  15 MS. ZHANG: Thank you.  16 Q. How long have you lived at that apartment?  17 A. Since 2017. It's almost nine years.  18 Q. Other than your son, L, do you live with anyone  19 else?  20 A. Previously I lived with my mother.  21 Q. How long did your mother live with you?  22 A. Eight years.  23 Q. Was she living with you on January 31, 2018?  24 A. Yes.  25 Q. You were in the same apartment on that date?</p>	<p style="text-align: right;">Page 13</p> <p>1 Q. Did you ever serve in the military?  2 A. No.  3 Q. Are you currently employed?  4 A. No.  5 Q. When was the last time you were employed?  6 A. May of 2017.  7 Q. May of 2017 where were you working?  8 A. New York City Housing Authority.  9 Q. What did you do at the New York City Housing  10 Authority?  11 A. Caretaker.  12 Q. How long did you work there as a caretaker?  13 A. About a year.  14 Q. Where did you work before that?  15 A. I worked in an office as assistant.  16 Q. What kind of office?  17 A. Some private entity.  18 Q. What did the private entity do?  19 A. So I work, like, messenger or, like, pick-up the  20 mail and also receptionist.  21 Q. How long did you do that for?  22 A. Three years or so.  23 Q. Before working there for those three years or so,  24 what, if anything, did you do for work?  25 A. I always work for some small offices to be the</p>

## ZENG

<p style="text-align: right;">Page 14</p> <p>1 receptionist.</p> <p>2 Q. You said you haven't worked since 2017.</p> <p>3 Have you ever claimed unemployment benefits?</p> <p>4 MS. ZHANG: Objection. You can answer.</p> <p>5 A. I claimed unemployment for a period of time but</p> <p>6 after that it expired.</p> <p>7 Q. What period of time was that?</p> <p>8 A. Since May or June of 2017 to 2018 I claim</p> <p>9 unemployment.</p> <p>10 Q. How often did you receive those benefits in that</p> <p>11 time?</p> <p>12 A. Do you mean every week I claim appointment; is</p> <p>13 that what you mean?</p> <p>14 Q. Yes. Every week, every month. I'm just trying to</p> <p>15 understand.</p> <p>16 A. Yes. I claim appointment every week. Weekly.</p> <p>17 Q. When in 2018 did that end?</p> <p>18 A. I don't recall exactly.</p> <p>19 Q. Were you receiving any other income while you</p> <p>20 were on unemployment benefits?</p> <p>21 A. I have child support and also the support from</p> <p>22 the family.</p> <p>23 Q. Other than that support did you receive any other</p> <p>24 income during that time?</p> <p>25 A. No.</p>	<p style="text-align: right;">Page 16</p> <p>1 Q. What is the name of the doctor you see every</p> <p>2 week?</p> <p>3 A. John Chan. Every month I need to get</p> <p>4 prescription for psychiatric treatment so the doctor called</p> <p>5 Andrew C-H-A-N.</p> <p>6 Q. What kind of doctor is Dr. Chan?</p> <p>7 A. Andrew Chan -- do you mean Andrew Chan?</p> <p>8 Q. Yes.</p> <p>9 A. Andrew Chan is psychiatrist.</p> <p>10 Q. Did he prescribe you any medication?</p> <p>11 A. Yes.</p> <p>12 Q. What did he prescribe?</p> <p>13 A. I don't recall the name.</p> <p>14 Q. Was it one drug or more than one drug?</p> <p>15 A. Two medications.</p> <p>16 Q. How often are you supposed to take them?</p> <p>17 A. Everyday.</p> <p>18 Q. Do you take them everyday?</p> <p>19 A. I ran out of medication since today so I have to</p> <p>20 make a call.</p> <p>21 Q. Since you've been prescribed it do you generally</p> <p>22 take it everyday?</p> <p>23 A. Yeah.</p> <p>24 Q. You said you ran out. Are there other times where</p> <p>25 you ran out?</p>
<p style="text-align: right;">Page 15</p> <p>1 Q. Have you ever applied or been denied unemployment</p> <p>2 benefits?</p> <p>3 A. No.</p> <p>4 Q. Are you claiming any economic damages as part of</p> <p>5 your lawsuit?</p> <p>6 A. Can you please rephrase?</p> <p>7 MR. FRANK: Sure. I'll rephrase.</p> <p>8 Q. I'm asking if you are claiming economic damages,</p> <p>9 meaning are you claiming you lost income wages as part of</p> <p>10 this lawsuit?</p> <p>11 A. Yes.</p> <p>12 Q. What are you claiming exactly?</p> <p>13 A. So I sustained damage physically and mentally so</p> <p>14 I couldn't -- I couldn't find jobs and so I have to seek</p> <p>15 for treatment constantly.</p> <p>16 Q. You are claiming, just to be clear, that this is</p> <p>17 a result -- that was a result of the incident in this case?</p> <p>18 A. Yes.</p> <p>19 Q. How long did you have difficulty finding jobs</p> <p>20 after the incident?</p> <p>21 A. Up until now.</p> <p>22 Q. What kinds of difficulties were you having? Can</p> <p>23 you describe them in more detail?</p> <p>24 A. So I suffer PTSD and anxiety and depression and I</p> <p>25 need to go see the doctor every week.</p>	<p style="text-align: right;">Page 17</p> <p>1 A. Yes.</p> <p>2 Q. Generally how long does it take you to get a</p> <p>3 refill of those medications?</p> <p>4 A. So I have to get refill every month so I can get</p> <p>5 the medication every month.</p> <p>6 Q. Other than those two medications prescribed by</p> <p>7 Dr. Chan are there any other medications that you are</p> <p>8 supposed to take?</p> <p>9 A. Motrin, because I kept losing my hair.</p> <p>10 Q. Do you know why that was happening?</p> <p>11 A. Because the mental issue.</p> <p>12 Q. Did a doctor diagnose that?</p> <p>13 A. Yes.</p> <p>14 Q. Was that also Dr. Chan, your psychiatrist?</p> <p>15 A. No. It was a dermatologist.</p> <p>16 Q. What is the name of that dermatologist?</p> <p>17 A. Dr. Shuen Wei. S-H-U-E-N W-E-I.</p> <p>18 Q. How long have you seen that doctor?</p> <p>19 A. Four years.</p> <p>20 Q. Are there any other doctors that you see</p> <p>21 regularly?</p> <p>22 A. I go to see physical injury doctor and the</p> <p>23 hearing doctor.</p> <p>24 Q. What is the physical injury doctor's name?</p> <p>25 A. So I only know this -- the practice is at the</p>

5 (Pages 14 - 17)

## ZENG

<p style="text-align: right;">Page 18</p> <p>1 care of Jeffrey Chin but I don't know exactly the name of</p> <p>2 the physical injury therapist's name.</p> <p>3 Q. You said that you also see another doctor; what</p> <p>4 is that doctor's name?</p> <p>5 A. So another one is the hearing specialist is K.</p> <p>6 Fong and another one is ENT doctor, the nose, ear and</p> <p>7 throat doctor. ENT doctor is called Noman Chung and also</p> <p>8 the other one called Chung G-U-O.</p> <p>9 Q. That last doctor, what kinds of doctors are they?</p> <p>10 A. For hearing.</p> <p>11 Q. Two doctors for hearing and then the ear, nose</p> <p>12 and throat doctor, ENT?</p> <p>13 A. No.</p> <p>14 Q. Why do you go to the hearing doctors?</p> <p>15 A. So since the injury that -- in the beginning I</p> <p>16 lost hearing in a month. Then I gradually feel I lost my</p> <p>17 hearing more and more days and also I feel dizziness,</p> <p>18 dizzy, and I went to my doctor. My family doctor referred</p> <p>19 me to this ENT doctors and I continue to feel dizzy and I</p> <p>20 lost my hearing and then my -- I went to visit the hearing</p> <p>21 specialist. I still continue to feel dizziness so I lost</p> <p>22 all my hearing. I have trouble.</p> <p>23 So in February of 2019 both hearing therapists</p> <p>24 diagnosed that I lost my hearing very badly and they</p> <p>25 prescribed me with hearing aid.</p>	<p style="text-align: right;">Page 20</p> <p>1 Q. To clarify, your psychiatrist is the one who told</p> <p>2 you that -- who diagnosed the cause of your hearing loss?</p> <p>3 A. So he said that it was due to the mental issues</p> <p>4 because I have experienced some -- like my brain was</p> <p>5 lacking oxygen so I was locked out for a long period of</p> <p>6 time and I have asthma.</p> <p>7 Q. When did you first start having asthma?</p> <p>8 A. When I was a teenager.</p> <p>9 Q. Do you remember around what age? If not, it's</p> <p>10 okay.</p> <p>11 A. About ten years old.</p> <p>12 Q. You are talking about loss of oxygen. Can you</p> <p>13 describe what you are referring to? Exactly what happened?</p> <p>14 A. Because I was kept at the Queens Criminal Court</p> <p>15 police station along for -- for a long period of time. It</p> <p>16 was -- it was in glass.</p> <p>17 Q. When you say in glass what do you mean?</p> <p>18 A. It was -- it was a space with -- made out of</p> <p>19 glass with not a lot of air coming in.</p> <p>20 Q. Did you make any complaints that you were having</p> <p>21 difficulty breathing when you were in that space?</p> <p>22 A. Yes.</p> <p>23 Q. Is the space you are referring to, was that a</p> <p>24 holding cell?</p> <p>25 A. I don't know it's a public cell or investigation</p>
<p style="text-align: right;">Page 19</p> <p>1 Q. Are you wearing those hearing aids now?</p> <p>2 A. No, because I'm wearing the headphone.</p> <p>3 Q. You don't need them when you are wearing</p> <p>4 headphones?</p> <p>5 A. Yes.</p> <p>6 Q. When did you start to feel like you were losing</p> <p>7 your hearing? Like around what date?</p> <p>8 A. It was since 2018 since the accident I start to</p> <p>9 feel dizzy and in the beginning I lost hearing for only</p> <p>10 couple hours.</p> <p>11 Q. Did you ever feel dizzy and like you were losing</p> <p>12 your hearing before January 31, 2018?</p> <p>13 A. No. Never.</p> <p>14 Q. You had no issues with your hearing before that?</p> <p>15 THE INTERPRETER: Say that again.</p> <p>16 Q. Just to confirm, you had no issues with your</p> <p>17 hearing before January 31, 2018?</p> <p>18 A. No.</p> <p>19 Q. Did your hearing doctors tell you what caused</p> <p>20 your loss of hearing?</p> <p>21 A. So in the beginning I was diagnosed by the</p> <p>22 psychiatrist saying that it was due to the mental issues</p> <p>23 that my brain was lacking oxygen and so the hearing</p> <p>24 specialist they only test my hearing because I was</p> <p>25 experiencing dizziness.</p>	<p style="text-align: right;">Page 21</p> <p>1 cell but it was with the police station I was held inside</p> <p>2 there.</p> <p>3 Q. Do you know what police station that was?</p> <p>4 A. Queens Child Abuse Squad.</p> <p>5 Q. How long were you in that cell?</p> <p>6 A. Six to seven hours.</p> <p>7 Q. You said you complained that were you having</p> <p>8 difficulty breathing. Who did you complain to?</p> <p>9 A. Police officer.</p> <p>10 Q. Do you know which police officer?</p> <p>11 A. Febus. One of the defendants.</p> <p>12 Q. Do you mean F-E-B-U-S, that defendant?</p> <p>13 A. Yes.</p> <p>14 Q. When you made a complaint what did Detective</p> <p>15 Febus say in response?</p> <p>16 A. He ignoring on me.</p> <p>17 Q. Did you say he?</p> <p>18 A. Oh, it's a female. Sorry. She ignored me.</p> <p>19 Q. She didn't say anything in response when you made</p> <p>20 that complaint?</p> <p>21 A. That's right.</p> <p>22 MR. FRANK: I'll get back to asking more</p> <p>23 about the incident in a moment. I just want to</p> <p>24 ask some other questions first.</p> <p>25 Q. We were talking about about unemployment</p>



## ZENG

<p style="text-align: right;">Page 22</p> <p>1 benefits. You said you stopped receiving them in 2018.</p> <p>2 Have you received any kind of public assistance</p> <p>3 since then?</p> <p>4 A. No. Medicaid. Only medical insurance.</p> <p>5 Q. How long have you been on Medicaid?</p> <p>6 A. You mean since when; right?</p> <p>7 Q. Correct.</p> <p>8 A. Since I lost my job I don't work, I start to have</p> <p>9 the Medicaid.</p> <p>10 Q. You said you lost your job in 2017; is that</p> <p>11 correct?</p> <p>12 A. Yes.</p> <p>13 Q. Why did you lose that job?</p> <p>14 A. Because I was discriminated at my workplace.</p> <p>15 Q. Just so that I can be clear on this, what</p> <p>16 workplace was that again?</p> <p>17 A. Yes. At the Housing Authority.</p> <p>18 Q. Have you ever received Social Security?</p> <p>19 A. No.</p> <p>20 Q. Ever applied for any other sort of public</p> <p>21 benefits?</p> <p>22 A. No.</p> <p>23 Q. Moving onto a different topic.</p> <p>24 Apart from this case have you ever been a</p> <p>25 plaintiff in a civil lawsuit?</p>	<p style="text-align: right;">Page 24</p> <p>1 Q. Who?</p> <p>2 A. Oliver Koppell, K-O-P-P-E-L-L. Oliver Koppell.</p> <p>3 Q. What injuries did you claim in that case, if any?</p> <p>4 A. I don't recall exactly.</p> <p>5 Q. Do you know if you claimed any physical injuries</p> <p>6 in this case?</p> <p>7 A. I don't recall.</p> <p>8 Q. Do you know if you claimed any emotional or</p> <p>9 psychological injuries in this case?</p> <p>10 A. I don't recall.</p> <p>11 Q. What was the outcome of that case?</p> <p>12 A. It was still -- it's appealing at the Second</p> <p>13 Circuit court.</p> <p>14 Q. Are you appealing?</p> <p>15 A. Yes.</p> <p>16 Q. What are you appealing in that case?</p> <p>17 MS. ZHANG: This case, counsel, she has</p> <p>18 counsel to represent her so I'm not sure, does it</p> <p>19 matter. Is it connected to our case?</p> <p>20 MR. FRANK: Are you assuming a privilege?</p> <p>21 MS. ZHANG: Yes.</p> <p>22 MR. FRANK: Yes?</p> <p>23 MS. ZHANG: Yes.</p> <p>24 MR. FRANK: Can we mark that for a ruling?</p> <p>25 Q. Other than that case against the New York City</p>
<p style="text-align: right;">Page 23</p> <p>1 A. Yes. I also sued my former employer, Housing</p> <p>2 Authority.</p> <p>3 Q. When did you sue the Housing Authority?</p> <p>4 A. At the end of 2018.</p> <p>5 Q. Was that before or after you started this</p> <p>6 lawsuit?</p> <p>7 A. Before.</p> <p>8 Q. What were you claiming in that lawsuit against</p> <p>9 the Housing Authority?</p> <p>10 A. I asked for my income lost.</p> <p>11 Q. What were you claiming happened that caused you</p> <p>12 to lose your income in that case?</p> <p>13 MS. ZHANG: Objection. You can answer.</p> <p>14 A. I was a very responsible and good employee. I</p> <p>15 didn't deserve the discrimination that I got.</p> <p>16 Q. Who are you claiming discriminated against you in</p> <p>17 that case?</p> <p>18 A. My colleagues and my supervisors.</p> <p>19 Q. What were their names?</p> <p>20 A. There were different people. One is Alex</p> <p>21 Rodriguez, and Ramos.</p> <p>22 Q. What court was that lawsuit brought in?</p> <p>23 A. Same court as this one is, Southern District.</p> <p>24 Q. Were you represented by an attorney in that case?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 25</p> <p>1 Housing Authority do you have any other lawsuits in which</p> <p>2 you were a plaintiff?</p> <p>3 A. I don't recall.</p> <p>4 Q. Do you recall if you ever sued the City of New</p> <p>5 York in any other case?</p> <p>6 A. I don't recall.</p> <p>7 Q. Have you ever been a defendant in this civil</p> <p>8 lawsuit?</p> <p>9 A. No.</p> <p>10 Q. You mentioned before you were involved in a case</p> <p>11 with Gang Liu. What court was that in?</p> <p>12 A. The son. One is at Queens Family Court. One is</p> <p>13 at Manhattan Family Court.</p> <p>14 Q. What is the Queens Family Court case about?</p> <p>15 A. So it's for the custody and also visiting rights</p> <p>16 of the child.</p> <p>17 Q. Is that the case you were telling me about</p> <p>18 earlier that you said ended up -- ended in 2019?</p> <p>19 A. Yeah.</p> <p>20 Q. What about the Manhattan Family Court case, what</p> <p>21 is that?</p> <p>22 A. So it's about the alimony. I win the case in</p> <p>23 2018.</p> <p>24 Q. In either the Queens Family Court case or the</p> <p>25 Manhattan Family Court case do you know if an order of</p>

## ZENG

<p style="text-align: right;">Page 26</p> <p>1 protection was ever issued?</p> <p>2 A. Yeah. I had protection orders, yes.</p> <p>3 Q. Was that protection order you had against someone</p> <p>4 or that someone had against you?</p> <p>5 A. So in 2018 I had protection order against him.</p> <p>6 But I think later, I think I learned he had protection</p> <p>7 against me. I learned that much later.</p> <p>8 Q. Why did you have a protection order against him?</p> <p>9 A. So after we separated he keep calling up to</p> <p>10 harass us; therefore, I had the protection order against</p> <p>11 him. Then he will not harass us.</p> <p>12 Q. You said that was issued in 2018; right?</p> <p>13 A. So it was in 2013 that I had the protection order</p> <p>14 for a long period of time. Then I had to renew the</p> <p>15 protection order once in a while.</p> <p>16 Q. Was that protection order in effect on</p> <p>17 January 31, 2018?</p> <p>18 A. One is effective.</p> <p>19 Q. Sorry. It was effective at that time?</p> <p>20 A. Yes. One of the protection order from the</p> <p>21 Manhattan Family Court was still effective.</p> <p>22 Q. Is it still in effect now, that protection order?</p> <p>23 A. No.</p> <p>24 Q. Do you know when it expired?</p> <p>25 A. I don't recall.</p>	<p style="text-align: right;">Page 28</p> <p>1 Q. What is this document?</p> <p>2 A. This is a complaint.</p> <p>3 Q. Do you recognize it?</p> <p>4 A. Yes.</p> <p>5 Q. For the record, I'm showing the witness page one</p> <p>6 of 46.</p> <p>7 How do you recognize this document?</p> <p>8 A. This is the second amended complaint of this</p> <p>9 case.</p> <p>10 Q. Did you write this document?</p> <p>11 A. Yes.</p> <p>12 Q. I'm going to go down to page 32. Can you see the</p> <p>13 page on your screen?</p> <p>14 A. Can you enlarge it, please?</p> <p>15 MR. FRANK: (Complies.)</p> <p>16 Q. Are you able to see it now?</p> <p>17 A. Yes.</p> <p>18 Q. Is this your signature?</p> <p>19 A. Yes.</p> <p>20 Q. Does this look like a fair and accurate</p> <p>21 representation of the complaint you wrote in this case, the</p> <p>22 second amended complaint you wrote in this case?</p> <p>23 A. Yes.</p> <p>24 Q. Do you have any reason to think that the</p> <p>25 statements in this document that you wrote and signed are</p>
<p style="text-align: right;">Page 27</p> <p>1 Q. You said there was another protection order</p> <p>2 against you that you found out about later.</p> <p>3 Can you describe that in more detail?</p> <p>4 A. So for this case this was from the other attorney</p> <p>5 of the other party, Steven DeAngelo, that has a protection</p> <p>6 order against me.</p> <p>7 Q. You are saying the attorney has it or -- sorry,</p> <p>8 you are saying the attorney informed you about the</p> <p>9 protection order?</p> <p>10 A. So on this case that your colleague told me that</p> <p>11 they have a protection order against me. I didn't know that</p> <p>12 previously.</p> <p>13 Q. And that colleague is Stephanie DeAngelis?</p> <p>14 A. Yes.</p> <p>15 Q. Do you remember when Ms. DeAngelis told you that?</p> <p>16 A. I don't recall.</p> <p>17 Q. I'm going to show you a document. This is</p> <p>18 document number 68 on the docket for this case.</p> <p>19 Off the record.</p> <p>20 (An off the record discussion was held.)</p> <p>21 Q. We'll mark this as Exhibit A to this deposition.</p> <p>22 As I said, it's document numbering 68 on the docket for</p> <p>23 this case. I'm going to share my screen now.</p> <p>24 Are you able to see the document on your screen?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 29</p> <p>1 inaccurate?</p> <p>2 A. No. This is under -- this is all truth.</p> <p>3 MR. FRANK: I'm going to stop sharing the</p> <p>4 screen now.</p> <p>5 Q. I'm going to show you another document. Just give</p> <p>6 me one moment, please.</p> <p>7 Are you able to see the document on your screen?</p> <p>8 A. Yes.</p> <p>9 Q. Do you recognize this document?</p> <p>10 A. No.</p> <p>11 Q. Can you read this section here? Let me highlight</p> <p>12 that a little bit better.</p> <p>13 Are you able to read this section that I</p> <p>14 highlighted?</p> <p>15 A. Some of the words is not very clear.</p> <p>16 Q. I can make it a little bit bigger. Just give me</p> <p>17 one moment.</p> <p>18 Are you able to see it more clearly now?</p> <p>19 A. Yes, but I don't -- I don't read some of the</p> <p>20 words. I don't understand some of the words.</p> <p>21 Q. Well, I'll give you a moment to just look at it</p> <p>22 and I want to ask you what you understand it to be.</p> <p>23 A. (Complies.)</p> <p>24 MR. FRANK: We'll mark this as Exhibit B.</p> <p>25 This is -- it is Document 74-4 on the docket of</p>



## ZENG

<p style="text-align: right;">Page 30</p> <p>1 this case. It was an exhibit to declaration</p> <p>2 defendant's filed in support of a motion on</p> <p>3 July 16, 2021.</p> <p>4 Q. I'm going back to the document and if you can</p> <p>5 just read it to yourself the text next to the highlighted</p> <p>6 box I'm showing you, those two paragraphs?</p> <p>7 A. Some of the words I don't understand.</p> <p>8 Q. Do you have general understanding of what the</p> <p>9 document is saying?</p> <p>10 A. It's a protection order.</p> <p>11 Q. Can you tell from looking at the document who the</p> <p>12 protection order is against?</p> <p>13 A. Against me.</p> <p>14 Q. Can you tell who this was issued to?</p> <p>15 A. It's saying Gang Liu.</p> <p>16 Q. Can you read this date here?</p> <p>17 A. December 15, 2016.</p> <p>18 Q. And then looking at the paragraph I have</p> <p>19 highlighted here just take a moment to read that and after</p> <p>20 you've read it what do you understand to the best of your</p> <p>21 ability this to be saying?</p> <p>22 A. (Complies.)</p> <p>23 I'm not quite sure. This is the document that I</p> <p>24 received not long ago from the City attorneys and I had</p> <p>25 never seen this document prior to this.</p>	<p style="text-align: right;">Page 32</p> <p>1 Q. Do you remember who took your deposition in that</p> <p>2 case?</p> <p>3 A. I don't recall.</p> <p>4 Q. Have you ever been to a 50-H hearing?</p> <p>5 A. Yes.</p> <p>6 Q. How many times?</p> <p>7 A. Once.</p> <p>8 Q. Was that for this case?</p> <p>9 A. Yes.</p> <p>10 Q. Around when was that?</p> <p>11 A. February 2019. Possibly in February.</p> <p>12 Q. Did you have an attorney at that time?</p> <p>13 A. Yes.</p> <p>14 Q. Who was that attorney?</p> <p>15 A. James Mayerson.</p> <p>16 Q. Could you just spell the last name for the</p> <p>17 record?</p> <p>18 A. M-A-Y-E-R-S-O-N.</p> <p>19 Q. Have you ever been compensated for any claim</p> <p>20 against the City of New York?</p> <p>21 A. Not yet.</p> <p>22 Q. Now I'm going to ask you about the incident on</p> <p>23 January 31, 2018 and the days leading up to that.</p> <p>24 On January 18, 2018 did you call the New York</p> <p>25 State Child Abuse Hotline?</p>
<p style="text-align: right;">Page 31</p> <p>1 Q. Are you able to see this date here that I've</p> <p>2 highlighted?</p> <p>3 A. February 16, 2017.</p> <p>4 Q. For the record I am showing -- this is all on</p> <p>5 page defendant's 49 is the bates stamp number. You had not</p> <p>6 seen this document prior to when Ms. DeAngelis shared it to</p> <p>7 you; is that correct?</p> <p>8 A. I never see this before, yeah.</p> <p>9 MR. FRANK: I've stopping sharing the</p> <p>10 document. I have a few other questions before we</p> <p>11 get to the incident in this case.</p> <p>12 Q. Have you ever been a witness in a civil lawsuit</p> <p>13 before?</p> <p>14 A. No.</p> <p>15 Q. Have you testified under oath at any time</p> <p>16 including criminal cases?</p> <p>17 A. You mean as -- you mean to provide testimony;</p> <p>18 right?</p> <p>19 Q. Correct. Any kind of proceeding including</p> <p>20 criminal cases?</p> <p>21 A. No.</p> <p>22 Q. Have you ever sat for a deposition like this</p> <p>23 before?</p> <p>24 A. The case last year, myself against NYCHA. Oh, was</p> <p>25 the Housing Authority that I did.</p>	<p style="text-align: right;">Page 33</p> <p>1 A. Yes.</p> <p>2 Q. Why did you call them?</p> <p>3 A. The reason why I called them is to ask them about</p> <p>4 the case status and information about the case that I</p> <p>5 reported earlier.</p> <p>6 Q. What case is that?</p> <p>7 A. About 17-CV-988.</p> <p>8 Q. Is that case you were talking about earlier</p> <p>9 against the Housing Authority or a different case?</p> <p>10 A. This is a case to sue the ACS and also the social</p> <p>11 worker.</p> <p>12 Q. What is ACS?</p> <p>13 A. Child support -- Administration of Children's</p> <p>14 Services. Administration Child Service.</p> <p>15 Q. Were you suing the Administration of Children's</p> <p>16 Services?</p> <p>17 A. Yes. Yes.</p> <p>18 Q. Were you suing anyone else in that lawsuit?</p> <p>19 A. So I was suing a social worker from ACS and also</p> <p>20 a social worker from CFS. It was Ngo.</p> <p>21 Q. What is CFS?</p> <p>22 A. So it's like a family service organization that</p> <p>23 they -- when the parents want to visit a child they have to</p> <p>24 visit at the supervision of CFS.</p> <p>25 Q. Why were you suing ACS and CFS in this case?</p>

## ZENG

<p style="text-align: right;">Page 34</p> <p>1 A. So because of the CFS did not -- did not take 2 good care of my son because at that time I took my son to 3 be seen by the father at CFS and my son was crying very 4 hard in the middle of the meeting and then one of the guys 5 also hit my son. 6 Q. Do you know who hit your son? 7 A. Gang L-I-U. 8 Q. Were you also suing Gang Lee Liu in this case? 9 A. No. Because ACS or CFS was responsible to take 10 care of my son during that period of time. 11 Q. Were you there when this happened to your son? 12 A. I was outside the room at that time. It was my 13 son and the social worker and my son's father in the same 14 room. 15 Q. Did you see what happened in this room or no? 16 A. I can see a little bit because there was a 17 window. 18 Q. What claims were you a part of that case? 19 A. I don't recall. 20 Q. What court was that case in? 21 A. Same court, SDNY. 22 Q. The Southern District? 23 A. Yes. SDNY. 24 Q. Other than the 17-CV-988 case we were just 25 talking about and the case against the New York City</p>	<p style="text-align: right;">Page 36</p> <p>1 were talking about earlier involving ACS; right? 2 A. Yes. 3 Q. When did that incident where your son got 4 injured, when did that occur? What was the date? 5 A. December of 2017. 6 Q. Do you remember when you filed that lawsuit 7 against ACS? 8 A. I sue ACS in December of 2017. 9 Q. That would have been not too long after the 10 incident? 11 A. The incident occurred in December of 2016. 12 Q. It was a year after that you filed the lawsuit? 13 A. Yes. 14 Q. What did you find out going back to January 18, 15 2018 calling for the status of the case? 16 A. In the evening after a few hours after I call two 17 of the social workers from ACS came. 18 Q. Before that happened though when you actually 19 made the phone call did you find anything out about the 20 status of your case? 21 A. No. 22 Q. Did anyone answer when you called? 23 A. Yes. 24 Q. What did they tell you? 25 A. They said that they would have the local ACS to</p>
<p style="text-align: right;">Page 35</p> <p>1 Housing Authority that we were talking about earlier and 2 this case, other than those three do you have any other 3 cases? 4 A. I don't recall. 5 Q. Going back to January 18, 2018 you said you were 6 calling for the status of that one we were just talking 7 about, the 17-CV-988 case; is that correct? 8 A. Yeah. I was going to inquire about the status of 9 the case and that time that I called police previously. 10 Then I got the police report and the doctor report and ACS 11 visit my son once and then they got the police report and 12 doctor report and then after that they don't contact me 13 whatsoever and that's why I was calling to ask about the 14 status. 15 Q. Why did you call the New York State Child Abuse 16 Hotline to ask about the status? 17 A. So at that time I was told by the police that to 18 use this line to get the status. 19 Q. And you also said you called the police. Did you 20 call 911 or anything else? 21 A. So I'm not talking about the incident that 22 generate January 18 of 2018, it was when my son was injured 23 at the -- with the social worker. Then I called 911 and we 24 went to the hospital. 25 Q. Got it. That was the basis of the case that we</p>	<p style="text-align: right;">Page 37</p> <p>1 come over. 2 Q. Then you said that two ACS workers did come over 3 then? 4 A. Yes. 5 Q. Do you remember their names? 6 A. One is call Diego Andrianzan. Another female that 7 I don't recall the name. 8 Q. Can you just spell Diego's last name so we can 9 have it for the record? 10 A. A-D -- A-D-R-I-Z-E-N (sic). 11 Q. When Diego and the other female ACS employee, you 12 said they came to your home, what happened next? 13 A. So without asking -- asking the injury or the 14 status of my son they just asked why I'm suing ACS and who 15 is the attorney for that case. 16 Q. They came to your house because you had called to 17 ask about the status of that case; is that correct? 18 A. They didn't -- they reason they come is not to 19 know the case situation. They want to ask me about why I'm 20 suing ACS and my attorney for that case. 21 Q. What did you tell them when they asked that? 22 A. I didn't want to say. 23 Q. What happened next? 24 A. In the middle of the night these two social 25 workers and the Police Officer Febus, they knocked my door</p>

## ZENG

<p style="text-align: right;">Page 38</p> <p>1 and my neighbors' doors too.</p> <p>2 Q. What date was that?</p> <p>3 A. On the same date, until January 31st.</p> <p>4 Q. This happened every night between January 18th</p> <p>5 and January 31st?</p> <p>6 A. Not only the evening. Also during the day every</p> <p>7 three to five hours they came to knock the doors.</p> <p>8 Q. They knocked on your door every three to</p> <p>9 five hours for those days?</p> <p>10 A. My door, and also my neighbors' doors.</p> <p>11 Q. Did you answer when this happened? Any other</p> <p>12 times this happened did you answer?</p> <p>13 A. I didn't answer but sometimes I was not home and</p> <p>14 my neighbor told me they knocked the door and even they</p> <p>15 came, they knocked the door, I didn't answer because I was</p> <p>16 afraid.</p> <p>17 Q. When you were home did you look outside to see</p> <p>18 who was there?</p> <p>19 A. Sometime I would look. Sometime I would look.</p> <p>20 Q. You said you saw Detective Febus when you looked;</p> <p>21 is that correct?</p> <p>22 A. Yes. She announce her name.</p> <p>23 Q. How many times did Detective Febus knock on your</p> <p>24 door and announce herself?</p> <p>25 A. I don't recall.</p>	<p style="text-align: right;">Page 40</p> <p>1 Q. How do you know that they were asking you about</p> <p>2 -- wanted to ask you about that case?</p> <p>3 A. So it was in the evening of January 18th they</p> <p>4 didn't ask me about the situation of my son and also the</p> <p>5 case information, they just asked me why I am suing ACS and</p> <p>6 also they ask about what is my attorney's name because they</p> <p>7 said if you sue ACS a lot of people would be in trouble.</p> <p>8 Q. You've named January 18, 2018. Are you talking</p> <p>9 about when Diego Andrianzan came to your house or is that</p> <p>10 -- are you talking about when Detective Febus came?</p> <p>11 A. Yes. The first visit was came only two social</p> <p>12 workers came but in the middle of the night two social</p> <p>13 workers with Febus, a Detective Febus.</p> <p>14 Q. Detective Febus was not there the first time when</p> <p>15 you did speak with the social workers; is that correct?</p> <p>16 A. Yes.</p> <p>17 Q. And then --</p> <p>18 THE INTERPRETER: Can we take a short break?</p> <p>19 MR. FRANK: Sure. Ten minutes.</p> <p>20 THE INTERPRETER: It's okay.</p> <p>21 MR. FRANK: Off the record at 11:56. Come</p> <p>22 back at 12:06.</p> <p>23 (Whereupon, a short recess was taken.)</p> <p>24 MR. FRANK: We're back on the record at</p> <p>25 12:08 p.m.</p>
<p style="text-align: right;">Page 39</p> <p>1 Q. Was she in a police uniform?</p> <p>2 A. Yes.</p> <p>3 Q. Did any of your neighbors speak with Detective</p> <p>4 Febus or the social workers who were knocking on their</p> <p>5 doors?</p> <p>6 A. Yes.</p> <p>7 Q. Did your neighbors tell you about their</p> <p>8 conversations at all?</p> <p>9 A. No.</p> <p>10 Q. Did your neighbors tell you that these people</p> <p>11 were knocking on their doors?</p> <p>12 A. Yes.</p> <p>13 Q. How did you know it was the same people who were</p> <p>14 knocking on your doors?</p> <p>15 A. It happened within a very short period of time.</p> <p>16 Q. Did you see Detective Febus or the social workers</p> <p>17 knock on your neighbors' doors?</p> <p>18 A. Yes.</p> <p>19 Q. Did you hear them saying anything when they were</p> <p>20 knocking on your neighbors' doors?</p> <p>21 A. I don't recall.</p> <p>22 Q. Did you find out why they were knocking on your</p> <p>23 door?</p> <p>24 A. To ask me about the case. To ask me about the</p> <p>25 case of the CV-988, 177-CV-988.</p>	<p style="text-align: right;">Page 41</p> <p>1 Can you read back the last question and</p> <p>2 answer.</p> <p>3 (Whereupon, the referred to question and</p> <p>4 answer was read back by the Reporter.)</p> <p>5 Q. The second time that night you said in the middle</p> <p>6 of the night when Detective Febus was there you did not</p> <p>7 speak with her; is that correct?</p> <p>8 A. That's right.</p> <p>9 Q. Did you speak with Detective Febus at any of the</p> <p>10 times when she knocked on your door between January 18th</p> <p>11 and 31, 2018?</p> <p>12 A. We talk on the mobile phone.</p> <p>13 Q. When was that?</p> <p>14 A. I don't recall exactly but on January 31st we</p> <p>15 text and also we had a phone call.</p> <p>16 Q. Before January 31st did you speak with Detective</p> <p>17 Febus at any point?</p> <p>18 A. We talk on the phone but I don't recall exactly.</p> <p>19 Q. Do you know why you would have talked on the</p> <p>20 phone with her before January 31, 2018?</p> <p>21 A. She asked me about the case of -- the case 988.</p> <p>22 Q. She called you to ask about that?</p> <p>23 A. Yes.</p> <p>24 Q. Did you talk with her about the case?</p> <p>25 A. I didn't want to talk to her about this.</p>

## ZENG

<p style="text-align: right;">Page 42</p> <p>1 Q. What did you tell her when she had called?</p> <p>2 A. I didn't want to tell her. She asked me about</p> <p>3 the attorney and why I want to file a lawsuit against ACS.</p> <p>4 Q. Do you remember about how long the phone call</p> <p>5 lasted?</p> <p>6 A. I don't recall exactly.</p> <p>7 Q. Would it have been, like, less than five minutes</p> <p>8 or more than five minutes?</p> <p>9 A. More than five minutes.</p> <p>10 Q. More than ten minutes?</p> <p>11 A. I don't recall exactly. It was a while ago.</p> <p>12 Q. During that phone call is the only thing you were</p> <p>13 discussing your case against ACS?</p> <p>14 A. Yes.</p> <p>15 Q. If you didn't want to answer questions what were</p> <p>16 you talking to her about to the best that you can recall?</p> <p>17 A. I didn't want to answer.</p> <p>18 Q. What did you say to her though if you didn't</p> <p>19 want to answer?</p> <p>20 A. I just don't say anything, I just listen to her.</p> <p>21 Q. What was she saying during the phone call, again</p> <p>22 to the best that you remember?</p> <p>23 A. So she was saying why I'm suing ACS and who file</p> <p>24 the case for me and why I want to do that because that will</p> <p>25 cause a lot of trouble for a lot of people.</p>	<p style="text-align: right;">Page 44</p> <p>1 A. So after dropping my son off I stop by a</p> <p>2 supermarket. Then I went home to do some house chore.</p> <p>3 Q. You said you received a call from Detective</p> <p>4 Febus.</p> <p>5 What was that call about?</p> <p>6 A. I was told that my son was at Queens Child Abuse</p> <p>7 Squad and I told her to take my son back.</p> <p>8 Q. Back where?</p> <p>9 A. Go home. Send him home.</p> <p>10 Q. Did Detective Febus tell you why your son was at</p> <p>11 the Queens Child Abuse Squad?</p> <p>12 A. She said it was because of the 17-CV-988 (sic).</p> <p>13 It's for the investigation of that case.</p> <p>14 Q. Can you repeat that?</p> <p>15 A. To investigate that case.</p> <p>16 Q. Did she explain anything else why about your son</p> <p>17 was there or was that it?</p> <p>18 A. No. I was told to go -- to come over.</p> <p>19 Q. And you said you also got a text message. Was</p> <p>20 that before or after the phone call?</p> <p>21 A. After the phone call. I'm not quite sure</p> <p>22 exactly.</p> <p>23 Q. I'm going to show you what was already marked as</p> <p>24 A, the second complaint in this case. Give me a moment to</p> <p>25 put that up on the screen.</p>
<p style="text-align: right;">Page 43</p> <p>1 Q. You didn't say anything at all in response to</p> <p>2 what you remember?</p> <p>3 A. No. I don't remember.</p> <p>4 Q. Turning to January 31, 2018 what day of the week</p> <p>5 was that?</p> <p>6 A. I don't recall.</p> <p>7 Q. What time did you wake up that day?</p> <p>8 A. 6:00.</p> <p>9 Q. What did you do after waking up at 6:00?</p> <p>10 A. I was doing some house chores and I was preparing</p> <p>11 to take my son to the school at 7:25.</p> <p>12 Q. Did you take your son to school?</p> <p>13 A. Yes.</p> <p>14 Q. What did you do after taking your son to school?</p> <p>15 A. So at 10:00 I receive a call from Febus that --</p> <p>16 saying that they -- they -- my son is at that place -- is</p> <p>17 at their place and she also text me as well.</p> <p>18 Q. Where were you when you got that call or text</p> <p>19 message?</p> <p>20 A. I was at home.</p> <p>21 Q. After dropping your son at school did you go back</p> <p>22 home?</p> <p>23 A. Yes.</p> <p>24 Q. What were you doing for those couple hours back</p> <p>25 at home?</p>	<p style="text-align: right;">Page 45</p> <p>1 Are you able to see the screen?</p> <p>2 A. Yes.</p> <p>3 Q. You can see the document clearly?</p> <p>4 A. Yes.</p> <p>5 Q. I'm going to -- again this is document number 68</p> <p>6 on the docket for this case, the second amended complaint.</p> <p>7 I'm going to go to page 45. Can you tell what it says</p> <p>8 there?</p> <p>9 A. Exhibit C.</p> <p>10 Q. I'm going to go to the next page, the last page</p> <p>11 which is page 46. Do you recognize this document that was</p> <p>12 attached to the second amended complaint?</p> <p>13 A. Yes.</p> <p>14 Q. Can you describe what this is?</p> <p>15 A. This is the text message that Febus sent it to</p> <p>16 me.</p> <p>17 Q. Is this a screen shot from your cell phone</p> <p>18 A. Yes.</p> <p>19 Q. Does this appear to be a fair and accurate</p> <p>20 representation of your text conversation with Detective</p> <p>21 Febus?</p> <p>22 A. This is text message. I also had formal</p> <p>23 conversation with her.</p> <p>24 Q. Did you reply to this text message from Detective</p> <p>25 Febus at any point?</p>

## ZENG

<p style="text-align: right;">Page 46</p> <p>1 A. I just told her over the phone to take my son 2 back home. 3 Q. You said that call was around ten a.m.; right? 4 A. This message is around 11:00. 5 Q. I'm asking about the phone call. 6 A. It was either before or after. Within a very 7 short period of time. 8 Q. Can you read what this text message says? 9 A. Yeah. She said my son was at their care in their 10 care and they ask me to come take him. 11 MR. FRANK: I'm going to stop sharing the 12 exhibit now. 13 Q. After receiving that text message and speaking 14 with Detective Febus on the phone what did you do next? 15 A. I went to the place she indicated to pick up my 16 son. 17 Q. When you had asked her to send your son home over 18 the phone what did she say in response? 19 A. She say no. She insists that I went to pick my 20 son up. 21 Q. Did she explain why? 22 A. She said the reason why she took my son was 23 because they want to investigate 17-CV-988 case, my Federal 24 lawsuit. 25 Q. I'm asking when you asked for her to bring your</p>	<p style="text-align: right;">Page 48</p> <p>1 Q. Do you recall what color hair? 2 A. I don't recall. 3 Q. That male officer told you to wait in a room? 4 A. Yes. I was waiting in a room and he closed the 5 door. 6 Q. Did he tell you why he wanted you to wait in that 7 room? 8 A. He said to wait for Detective Febus. 9 Q. Did you know where Detective Febus was? Did he 10 tell you that? 11 A. No. 12 Q. Were you in handcuffs at all at this point? 13 A. No. 14 Q. Were you able to -- 15 A. But I think I was locked inside of the room. The 16 lock was on. 17 Q. Did you see the male officer lock the door? 18 A. I heard the lock and I saw 30 minutes later he 19 did lock the door. 20 Q. Did you try to open the door that he locked when 21 you were in this room? 22 A. Yes, I did. 23 Q. Were you able to? 24 A. No. 25 Q. Did you ask anyone to open the door to the room?</p>
<p style="text-align: right;">Page 47</p> <p>1 son home and she said no, did she explain why she wouldn't 2 send your son home? 3 A. She said because she's investigating the case 4 17-CV-988. 5 Q. You said you went to the address she gave you. 6 Do you remember around what time you got there? 7 A. Before 12:00. Around 12:00. 8 Q. How did you get there from home? 9 A. I took subway. 10 Q. Do you remember which subway? 11 A. I forgot. It was a long time ago. 12 Q. Is that no, you don't remember? 13 A. I don't recall. 14 Q. The address she gave you was that for the Queens 15 Child Abuse Squad precinct? 16 A. Yeah. 17 Q. What happened when you arrived at the Queens 18 Child Abuse Squad around noon? 19 A. I said I was looking for -- I had appointment 20 with Detective Febus and a male officer had me to wait in 21 the room. 22 Q. Do you remember who that male officer was? 23 A. I don't know the name. 24 Q. Can you describe him at all? 25 A. He is a tall big Caucasian man in his 40s.</p>	<p style="text-align: right;">Page 49</p> <p>1 A. Yes. I asked for the police officer. 2 Q. Is that the same male police officer you were 3 describing earlier? 4 A. Yes. 5 Q. What did he say in response, if anything? 6 A. He asked me to wait. He didn't say anything. 7 Q. How long were you waiting in that room? 8 A. Two to three hours. 9 Q. Did you ask for anything else while were you in 10 that room? 11 THE INTERPRETER: Say that again. 12 Q. Did you ask the officer for anything else while 13 you were in that room? 14 A. I said I need to drink water and I need to go to 15 doctor's because on that day both my son and myself had a 16 doctor appointment. 17 Q. When you said that were you saying that to the 18 same male officer again? 19 A. Yeah. I was shouting very loud -- loudly. 20 Q. What, if anything, did he say in response? 21 A. He asked me to wait for Detective Febus and then 22 he just completely ignored me. 23 Q. Were there any other officers around there at the 24 time that you saw? 25 A. Yes. There was two or three of them but I don't</p>

## ZENG

<p style="text-align: right;">Page 50</p> <p>1 recall exactly.</p> <p>2 Q. Was Detective Febus one of those two or three</p> <p>3 other officers you saw?</p> <p>4 A. Yes. No.</p> <p>5 Q. You did not see Detective Febus while were you</p> <p>6 waiting for those two or three hours in this room?</p> <p>7 A. That's right.</p> <p>8 Q. You said you didn't remember if it was two or</p> <p>9 three officers. Do you remember if they were male or</p> <p>10 female, what they looked like?</p> <p>11 A. The male, I don't recall exactly. They are male</p> <p>12 and females.</p> <p>13 Q. Are any of those two or three officers named as</p> <p>14 defendants in this case?</p> <p>15 A. No.</p> <p>16 Q. Do you know if that male officer who you were</p> <p>17 talking to and who brought you to that room, is he named as</p> <p>18 a defendant in it case?</p> <p>19 A. No.</p> <p>20 Q. Did there come a time when you did meet with</p> <p>21 Detective Febus?</p> <p>22 THE INTERPRETER: Say that again.</p> <p>23 Q. Did there come a time when you did meet with</p> <p>24 Detective Febus?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 52</p> <p>1 Q. Did you regularly bring your inhaler with you?</p> <p>2 A. No. Did you mean that I was prescribed and I</p> <p>3 bring it everywhere; is that your question?</p> <p>4 Q. I'm asking if you generally brought your inhaler</p> <p>5 with you?</p> <p>6 A. Sometimes.</p> <p>7 Q. Why only sometimes?</p> <p>8 A. So if it's not -- the air is not very thin then</p> <p>9 I'm fine but if there is a closed space then I have</p> <p>10 breathing problem.</p> <p>11 Q. You would bring it with you if you knew you were</p> <p>12 going to be in a closed space; is that correct?</p> <p>13 A. Yes.</p> <p>14 Q. Did you generally keep it in a purse or some</p> <p>15 other kind of bag?</p> <p>16 A. Yes.</p> <p>17 Q. What kind of bag was it?</p> <p>18 A. Like a bag, shoulder bag that can hold my phone</p> <p>19 and my keys.</p> <p>20 Q. Did you have that bag with you when you went to</p> <p>21 the Queens Child Abuse Squad on January 31, 2018?</p> <p>22 A. Are you are asking me if I bring the medicine --</p> <p>23 asthma medication with me or are you asking if I bring the</p> <p>24 bag with me?</p> <p>25 Q. I'm asking just about the bag, yes.</p>
<p style="text-align: right;">Page 51</p> <p>1 Q. Did she come to that room where you were?</p> <p>2 A. Yes.</p> <p>3 Q. Earlier, much earlier today you were talking</p> <p>4 about a room where the walls were glass and you were having</p> <p>5 difficulty breathing; is that the same room that we're</p> <p>6 talking about now at the Queens Child Abuse Squad?</p> <p>7 A. Yes.</p> <p>8 Q. Did you tell that male officer or the other two</p> <p>9 or three officers you mentioned that you were having</p> <p>10 difficulty breathing during those two to three hours?</p> <p>11 A. Yes.</p> <p>12 Q. Do you recall what you said to them</p> <p>13 approximately?</p> <p>14 A. I said -- I said I'm breathing harder and I have</p> <p>15 asthma and I need to go to doctor.</p> <p>16 Q. What did they say in response?</p> <p>17 A. They said -- they asked me to wait, to wait for</p> <p>18 the Detective Febus.</p> <p>19 Q. Have you ever been prescribed an inhaler for</p> <p>20 asthma?</p> <p>21 A. I don't remember if I had that prescription at</p> <p>22 that time.</p> <p>23 Q. At any point, not just that day, but at any point</p> <p>24 have you ever been prescribed an inhaler?</p> <p>25 A. Yes.</p>	<p style="text-align: right;">Page 53</p> <p>1 A. Yes.</p> <p>2 Q. Also did you bring the asthma medicine on that</p> <p>3 day?</p> <p>4 A. No.</p> <p>5 Q. Why not?</p> <p>6 A. I didn't know they would put me in the closed</p> <p>7 space without a lot of air. I thought I would just pick up</p> <p>8 my son and go home.</p> <p>9 Q. Do you generally bring your inhaler when you are</p> <p>10 riding the subway?</p> <p>11 A. No. No, I don't.</p> <p>12 Q. What kind of closed spaces would you need it</p> <p>13 then?</p> <p>14 THE INTERPRETER: Say that again.</p> <p>15 Q. What kind of closed spaces would you need your</p> <p>16 inhaler in?</p> <p>17 A. With improper quality and in a closed space for a</p> <p>18 long time.</p> <p>19 Q. Going back to that room when Detective Febus</p> <p>20 came, what did you two discuss, if anything?</p> <p>21 A. So the echo -- and also detectives Febus keep</p> <p>22 asking me who initiated the case and why I want to sue ACS</p> <p>23 and they also said a lot of people would be in trouble if I</p> <p>24 sue them.</p> <p>25 Q. What did you say in response?</p>



## ZENG

<p style="text-align: right;">Page 54</p> <p>1 A. I didn't want to answer. I said if you want to  2 talk about this case it should be in the court not here.  3 Q. What did they say when told them that?  4 A. They ignore me. So I said I want to pick up my  5 son and I want to see my son and I said I have a doctor  6 appointment in the afternoon, I need to go to the doctor's.  7 Q. What did they say when you told them that?  8 A. They ignore me.  9 Q. Did they say anything else to you other than  10 about the 17-CV-988-case?  11 THE INTERPRETER: Say it again.  12 Q. Did they ask you about anything else other than  13 the 17-CV-988 case?  14 A. They didn't say anything else.  15 Q. How long did the conversation last?  16 A. About half an hour. About half an hour to one  17 hour.  18 Q. At this point were you in handcuffs?  19 A. No.  20 Q. Did you ask them to leave?  21 A. I said I want to see my son and I also I want to  22 see my attorney and I was going to see a doctor and I keep  23 telling them I need to drink water, I need to use the  24 bathroom. They ignore me.  25 Q. Did they bring you water at any point when you</p>	<p style="text-align: right;">Page 56</p> <p>1 A. In the beginning the interpreter was there and  2 then after that the interpreter left but they keep asking  3 me the same things so I pretty much understood what they  4 trying to say.  5 Q. Do you know about how long the interpreter was  6 there before they left?  7 A. About half an hour.  8 Q. Was the interpreter there when you were asking  9 them to leave?  10 THE INTERPRETER: Can you say that again.  11 Q. Was the interpreter there in the room when you  12 were asking to leave?  13 THE INTERPRETER: I don't understand this  14 question.  15 Q. You said earlier that you were asking to leave  16 the room where you were. I'm asking if the interpreter was  17 there when you were making that request to leave?  18 A. Yes.  19 Q. Detective Febus and Diego did not respond?  20 A. No.  21 Q. Did you answer any of their questions about your  22 other lawsuit?  23 A. No. I basically said I need to see my attorneys.  24 I didn't want to answer their questions.  25 Q. They ignored that too; is that correct?</p>
<p style="text-align: right;">Page 55</p> <p>1 were in that room?  2 A. No.  3 Q. When you were asking them this were you asking in  4 English?  5 A. In the beginning they have interpreter and they  6 were directly speaking -- they spoke English to me.  7 Q. Was the interpreter there earlier when you were  8 waiting for those two or three hours?  9 A. It was. After I wait for three hours Detective  10 Febus and also the -- and Andrianzan, the social worker,  11 and also the interpreter came to talk to me.  12 Q. Before that when you were there for those two or  13 three hours waiting and you were talking to that male  14 officer were you making those requests in English?  15 A. Yes.  16 Q. You said the interpreter -- did the interpreter  17 leave at some point?  18 A. Yes, the interpreter left.  19 Q. Was that while Detective Febus and Diego  20 Andrianzan were still talking to you?  21 A. They keep asking me the case and also they ask me  22 about my immigration status.  23 Q. What I'm asking is when they were -- during that  24 whole conversation was the interpreter there the whole  25 time?</p>	<p style="text-align: right;">Page 57</p> <p>1 A. Yes. They totally ignore me.  2 Q. Why did they stop asking you questions after that  3 half hour to an hour; did they say?  4 A. So after half an hour they left and they still  5 kept asking me about the case we were talking about.  6 Q. And then why did they stop -- they stopped asking  7 you at some point. Did they say why they were going to stop  8 asking you questions?  9 A. So I didn't want to answer. Then Detective Febus  10 smile and say to Diego saying this Chink didn't think that  11 we were detaining her.  12 Q. Did she make that comment while she was still in  13 the room with you?  14 A. Yes.  15 Q. What happened after that?  16 A. After that they all left. They went out.  17 Q. Were you still in the room after they left?  18 A. So after that they search my bag and then they  19 search my body. They push my head against the wall.  20 Q. Who pushed your head against the wall?  21 A. Detective Febus.  22 Q. Did she say anything to you before she did that?  23 A. No.  24 Q. What were you doing before she pushed your head  25 against the wall?</p>

15 (Pages 54 - 57)

## ZENG

<p style="text-align: right;">Page 58</p> <p>1 A. I was sitting there to listen to their 2 conversation. 3 Q. And did you get up at any point? 4 A. I stood up. 5 Q. That was before Detective Febus pushed your head 6 against the wall? 7 A. I was sitting down and she drag me up off the 8 chair. 9 Q. How did she drag you up out of the chair? 10 A. I don't recall exactly. 11 Q. What part of your body did she touch to drag you? 12 A. My back and my arm. 13 Q. What did she do to your back and arm? 14 A. She dragged me, push me. 15 Q. How far was the chair from the wall before this 16 happened, the chair where you were sitting? 17 A. I don't recall. 18 Q. You could approximate. Was it a couple feet or 19 five feet, ten feet, something like that? Approximately 20 how far? 21 A. Five feet. 22 Q. When Detective Febus dragged you did she drag you 23 all the way from where the chair was to the wall chair? 24 A. Yes. 25 Q. What happened to the chair when she did that?</p>	<p style="text-align: right;">Page 60</p> <p>1 handcuffed? 2 A. Yes, she was right next to it. 3 Q. Did Officer Wiltshire help Detective Febus put 4 handcuffs on you? 5 A. In the beginning she didn't but after that they 6 -- the two of them they work together to drag me to the -- 7 to the car. 8 Q. How did they drag you to the car? 9 A. They drag me from my back. 10 Q. They were both holding your back? 11 A. Yes. They drag my arm. 12 Q. Do you remember which arm Detective Febus was 13 holding? 14 A. She was holding my hand that was handcuffed. Then 15 also dragging my arm. 16 Q. Was she pulling on your arm, pushing it or 17 something else? 18 A. Sometimes she hold onto my arm and sometimes she 19 get hold of my hand that was handcuffed and she drag me. 20 Q. Do you remember if this was your left or right 21 arm? 22 A. Both my arms were dragged by them. 23 Q. What about Officer Wiltshire, was she also 24 holding one of your arms or doing something else? 25 A. She was also holding on it, my arm, but she left</p>
<p style="text-align: right;">Page 59</p> <p>1 A. I don't recall. 2 Q. Do you know if the chair fell over at any point? 3 A. I don't recall. 4 Q. When she dragged you to the wall you said she 5 placed your head up against it; is that correct? 6 A. Yes. 7 Q. What happened right after that? 8 A. Then she put her hands on me, on my back. 9 Q. She put your hands behind your back? 10 A. Yes. 11 Q. Did she explain why she was putting handcuffs on? 12 A. No. 13 Q. Did anybody else come to the room during that 14 conversation that you were having other than the 15 interpreter and Diego? 16 A. Another female detective, Wiltshire. 17 Q. Is that Erlene Wiltshire, one of the defendants 18 in this case? 19 A. Yes. 20 Q. When did that happen? How long before Detective 21 Febus put you in handcuffs did Officer Wiltshire come to 22 the room? 23 A. It was not long before that I was put in the 24 handcuff. She was right next to me. 25 Q. Officer Wiltshire was there when you were being</p>	<p style="text-align: right;">Page 61</p> <p>1 to do something else in the middle. 2 Q. When you say in the middle is that when you were 3 being transported to the car? 4 A. Yes. She was trying to open the door. 5 Q. Were you on your feet during this time? 6 A. My feet at some point were not on the ground but 7 sometimes my feet were on the ground. 8 Q. Were you walking when your feet were on the 9 ground? 10 A. I was dragged to walk from the back. 11 Q. Can you describe a bit more what you mean by 12 that? 13 A. So I didn't know I was supposed to go to the car 14 and they didn't tell me so they just drag me from my back 15 and to drag me to the vehicle. 16 Q. You said at some point your feet weren't on the 17 ground. Did they lift you up? 18 A. Yes. 19 Q. What were you saying to them, if anything, while 20 this was happening? 21 A. I said I want to see my attorney. I want to go 22 to doctor. 23 Q. What were they saying in response, if anything? 24 A. They didn't say anything. They didn't answer. 25 Q. Did you ask them to stop dragging you?</p>

## ZENG

Page 62	Page 64
<p>1 A. Yes.</p> <p>2 Q. What did you say to them?</p> <p>3 A. I said why you doing this, you cannot do that.</p> <p>4 Q. What did they say?</p> <p>5 A. They didn't want to answer.</p> <p>6 Q. Were you moving your legs or arms at all while</p> <p>7 they were dragging you?</p> <p>8 A. I don't quite understand what you meant.</p> <p>9 Q. When they were dragging you what were you doing</p> <p>10 with your legs, if anything?</p> <p>11 A. For -- at that period of time I was kind of pull</p> <p>12 up. I feel like I was falling down.</p> <p>13 Q. What did you do? Physically what did you do when</p> <p>14 you felt like you were falling down?</p> <p>15 A. I don't recall.</p> <p>16 Q. Going back to when you were still in that room</p> <p>17 did Officer Wiltshire say anything when she came before you</p> <p>18 were in handcuffs?</p> <p>19 A. No.</p> <p>20 Q. Did she speak with Detective Febus at all before</p> <p>21 were you in handcuffs?</p> <p>22 A. I don't recall.</p> <p>23 Q. You were talking about Detective Febus and Diego</p> <p>24 Andrianzan and then Officer Wiltshire comes in and then</p> <p>25 shortly after that is when you were handcuffed; is that</p>	<p>1 alone and they took away my scarf and my bag and they were</p> <p>2 coming in and out. I was alone outside.</p> <p>3 Q. Before you got outside, just so I understand, you</p> <p>4 were handcuffed and then were you brought outside</p> <p>5 immediately or was there sometime in between when you were</p> <p>6 handcuffed and then you were brought outside?</p> <p>7 A. They have wait for a while. Then I was took</p> <p>8 outside.</p> <p>9 Q. What happened before you were brought outside, if</p> <p>10 anything, but after were you handcuffed?</p> <p>11 A. I don't know but one of them were watching over</p> <p>12 me and the other one was coming in and out.</p> <p>13 Q. Do you recall who was watching over you and who</p> <p>14 was coming in and out?</p> <p>15 A. The Detective Wiltshire was watching over me.</p> <p>16 Q. Do you mean Officer Wiltshire?</p> <p>17 A. So Wiltshire was watching over me and Febus was</p> <p>18 walking in and out.</p> <p>19 Q. Did either of them say anything to you at any</p> <p>20 time while you were in handcuffs?</p> <p>21 A. No.</p> <p>22 Q. Did you say anything to them during that time</p> <p>23 when you were in handcuffs but before you were brought</p> <p>24 outside?</p> <p>25 A. I said why are you arresting me. I feel -- I</p>
Page 63	Page 65
<p>1 correct?</p> <p>2 A. Yes.</p> <p>3 MR. FRANK: I think this will be a good time</p> <p>4 to take a lunch break if that's good for</p> <p>5 everyone.</p> <p>6 THE INTERPRETER: Sure. 1:39.</p> <p>7 MR. FRANK: Yes. See you in half an hour.</p> <p>8 THE INTERPRETER: Thank you.</p> <p>9 (Whereupon, a short recess was taken.)</p> <p>10 MR. FRANK: Can you read back the last</p> <p>11 question and answer, please.</p> <p>12 (Whereupon, the referred to question and</p> <p>13 answer was read back by the Reporter.)</p> <p>14 MR. FRANK: And we're back on the record at</p> <p>15 1:39.</p> <p>16 Q. How long after you were handcuffed were you</p> <p>17 dragged to the police car?</p> <p>18 A. About half an hour.</p> <p>19 Q. What happened --</p> <p>20 A. I don't remember exactly.</p> <p>21 Q. What happened when you were in handcuffs but</p> <p>22 before you were brought to the police car?</p> <p>23 A. About half an hour.</p> <p>24 Q. What was happening in that about half an hour?</p> <p>25 A. I was waiting and I was -- I was put outside</p>	<p>1 want to see my attorney and I want -- I feel uncomfortable.</p> <p>2 Q. Were you telling them that in English?</p> <p>3 A. Yes.</p> <p>4 Q. Did they respond?</p> <p>5 A. No.</p> <p>6 Q. Was anyone else there other than Detective Febus</p> <p>7 and Officer Wiltshire?</p> <p>8 A. No.</p> <p>9 Q. About how long were you waiting in that room in</p> <p>10 handcuffs before you were brought outside?</p> <p>11 A. Ten to 20 minutes.</p> <p>12 Q. After those ten to 20 minutes is when you were</p> <p>13 dragged outside as were you explaining earlier?</p> <p>14 A. Yes.</p> <p>15 Q. Did anything happen before you were dragged</p> <p>16 outside?</p> <p>17 A. (No response.)</p> <p>18 Q. The question was:</p> <p>19 Did anything happen before you were dragged</p> <p>20 outside, right before?</p> <p>21 A. They took away my scarf and also my bag, my</p> <p>22 personal belongings.</p> <p>23 Q. This is while you were still inside; right?</p> <p>24 A. Yes.</p> <p>25 Q. Did they say why they took them?</p>

17 (Pages 62 - 65)

## ZENG

Page 66	Page 68
<p>1 A. No.</p> <p>2 Q. Right up to right before you were dragged outside</p> <p>3 did anything happen?</p> <p>4 A. No.</p> <p>5 Q. Were you standing or sitting or something else</p> <p>6 before they began to drag you outside?</p> <p>7 A. Standing.</p> <p>8 Q. How far away was Officer Wiltshire from you when</p> <p>9 you were standing there?</p> <p>10 A. I don't understand what you mean.</p> <p>11 Q. So you said you were in the room and Officer</p> <p>12 Wiltshire was watching over you when you were in handcuffs.</p> <p>13 I'm just asking how far away she was from you?</p> <p>14 A. Very close.</p> <p>15 Q. You said you had asked to see your attorney.</p> <p>16 Did you ask that once, more than once?</p> <p>17 A. Yes.</p> <p>18 Q. Is that once or more than once?</p> <p>19 A. More than once. Many times.</p> <p>20 Q. Do you know how many times?</p> <p>21 A. More than five times.</p> <p>22 Q. Did you ask for anything else during that time?</p> <p>23 Again, this is when you were in handcuffs but still in the</p> <p>24 room.</p> <p>25 A. I said I want to see my attorney and I want to --</p>	<p>1 arrived at the 75 precinct.</p> <p>2 Q. How long later did you arrive?</p> <p>3 THE INTERPRETER: What?</p> <p>4 Q. How long later did you arrive at the 75 precinct?</p> <p>5 A. More than 45 minutes. Between 45 minutes to an</p> <p>6 hour.</p> <p>7 Q. Did they say anything else during that 45 minutes</p> <p>8 to an hour other than you will found out?</p> <p>9 A. No.</p> <p>10 Q. Did they say anything else to each other during</p> <p>11 the car ride?</p> <p>12 A. So they -- one of them said the Chink didn't know</p> <p>13 -- didn't believe that we can detain her.</p> <p>14 Q. Is that the same thing they had said earlier when</p> <p>15 you were in the room?</p> <p>16 A. Yes.</p> <p>17 Q. They said it again?</p> <p>18 A. Yes.</p> <p>19 Q. Did they say anything else to each other?</p> <p>20 A. They had a chitchat among themselves but I don't</p> <p>21 recall what that entail.</p> <p>22 Q. You don't recall any detail at all about what</p> <p>23 they were talking about?</p> <p>24 A. That's right.</p> <p>25 Q. Which one of them made the comment about you and</p>
Page 67	Page 69
<p>1 I need to go to the doctor.</p> <p>2 Q. What did they say in response?</p> <p>3 A. They ignore me completely.</p> <p>4 Q. They didn't say anything to you at all during</p> <p>5 that time?</p> <p>6 A. They didn't say anything.</p> <p>7 Q. Is the last time before this point the last time</p> <p>8 either of them said anything to you? Is that when</p> <p>9 Detective Febus was still asking you questions about your</p> <p>10 other lawsuit?</p> <p>11 A. Yes.</p> <p>12 Q. After that when was the next time that Detective</p> <p>13 Febus or Officer Wiltshire or someone else spoke to you?</p> <p>14 A. So it was during our trip, it was in the car that</p> <p>15 Wiltshire and Diego, we were in the vehicle, they talked to</p> <p>16 me. They didn't really answer my question.</p> <p>17 Q. What were they saying to you when you were in the</p> <p>18 vehicle with them?</p> <p>19 A. So they didn't really answer my question and they</p> <p>20 just said I will find out next.</p> <p>21 Q. What were they referring to when they said you</p> <p>22 will find out next?</p> <p>23 A. So I asked them where they taking me to and why</p> <p>24 they are taking me and they didn't really answer my</p> <p>25 question, they just said I will find out and then later we</p>	<p>1 not being able -- you thinking they wouldn't be able to</p> <p>2 detain you, if you remember?</p> <p>3 A. Detective Febus said it to Wiltshire.</p> <p>4 Q. You said earlier that you were waiting outside</p> <p>5 for them without a scarf; how long was that before you were</p> <p>6 placed in the car?</p> <p>7 A. About 20 minutes. Ten to 20 minutes.</p> <p>8 Q. Were you alone?</p> <p>9 A. No. Wiltshire was standing nearby.</p> <p>10 Q. Was she holding you at all or touching you in</p> <p>11 anyway?</p> <p>12 A. No.</p> <p>13 Q. While you were outside did you say anything to</p> <p>14 Officer Wiltshire?</p> <p>15 A. I said I was very cold I need my scarf.</p> <p>16 Q. Did she respond?</p> <p>17 A. No.</p> <p>18 Q. Did you say anything else to Officer Wiltshire</p> <p>19 while you were standing outside?</p> <p>20 A. I keep saying that I need to see the attorney and</p> <p>21 where are you taking me to, I need to see the doctor.</p> <p>22 Q. How many times did you say this to her?</p> <p>23 THE INTERPRETER: What?</p> <p>24 Q. How many times did you say this to her?</p> <p>25 THE INTERPRETER: How many times what?</p>

18 (Pages 66 - 69)

## ZENG

Page 70	Page 72
<p>1 Q. How many times did you ask Officer Wiltshire to</p> <p>2 see your attorney and to go to the doctor?</p> <p>3 A. More than three times.</p> <p>4 Q. She did not respond to any of those more than</p> <p>5 three times?</p> <p>6 A. No.</p> <p>7 Q. Did you tell her why you wanted to see a doctor?</p> <p>8 A. I said I am ill. I have a hard time breathing.</p> <p>9 Q. You had said earlier that you needed to see a</p> <p>10 doctor because of an appointment?</p> <p>11 A. Yes.</p> <p>12 Q. At that time did you tell them that you were ill</p> <p>13 and having a hard time breathing?</p> <p>14 A. Wiltshire is the one you are asking me?</p> <p>15 Q. Yes. I'm asking if before this, before when you</p> <p>16 were still in the room and you asked to see your doctor</p> <p>17 were you telling them that you were feeling ill?</p> <p>18 A. Yes.</p> <p>19 Q. Did you tell them when you were still in the room</p> <p>20 that you were still having difficulty breathing?</p> <p>21 A. Yes.</p> <p>22 Q. Who did you tell that to when you were still in</p> <p>23 the room?</p> <p>24 A. First was Diego and later Wiltshire.</p> <p>25 Q. And none of them responded to you any time you</p>	<p>1 A. Yes.</p> <p>2 Q. What did they say, if anything, in response?</p> <p>3 A. They ignore me.</p> <p>4 Q. Did they loosen the handcuffs at any point?</p> <p>5 A. No.</p> <p>6 Q. You said you told them your head was hurting. Was</p> <p>7 that from when your head was pushed up against the wall</p> <p>8 earlier or was that from when you were placed in the police</p> <p>9 car or something else?</p> <p>10 A. Both. Everything. I was standing outside and it</p> <p>11 was very cold and cold air and I was standing outside for a</p> <p>12 while.</p> <p>13 Q. And the cold air is part of what made your head</p> <p>14 hurt?</p> <p>15 A. Yes.</p> <p>16 Q. Going back to when Detective Febus put your head</p> <p>17 up against the wall and put handcuffs on you, did you make</p> <p>18 any complaints at that time?</p> <p>19 A. Yes.</p> <p>20 Q. What did you say?</p> <p>21 A. I said I want to see my attorney, why I'm under</p> <p>22 arrest.</p> <p>23 Q. Did you tell them that they were hurting you at</p> <p>24 that point when Detective Febus put your head up against</p> <p>25 the wall?</p>
Page 71	Page 73
<p>1 asked to see a doctor?</p> <p>2 A. No.</p> <p>3 Q. Going back to when you were outside were you</p> <p>4 placed in a parked police vehicle?</p> <p>5 A. Yes.</p> <p>6 Q. Who put you in the police vehicle?</p> <p>7 A. Both Febus and Wiltshire both.</p> <p>8 Q. How did they put you in the police vehicle? What</p> <p>9 did they do physically?</p> <p>10 A. So Febus pushed my head down and pushing me into</p> <p>11 the vehicle.</p> <p>12 Q. Pushed your head down how? What did she do?</p> <p>13 A. She use with force to push my head down.</p> <p>14 Q. Was that when she was putting you into the police</p> <p>15 car?</p> <p>16 A. Yeah.</p> <p>17 Q. Did you say anything to her when she was pushing</p> <p>18 your head down to put you in the police car?</p> <p>19 A. I said my -- my head hurts and also my arm hurts</p> <p>20 because my wrist hurts because where the handcuff was they</p> <p>21 drag me, it hurts.</p> <p>22 Q. Was that both of your wrists or just one of your</p> <p>23 wrists?</p> <p>24 A. Wrist.</p> <p>25 Q. Did you ask them to loosen the handcuffs?</p>	<p>1 A. I think I say that. I said my wrist, where the</p> <p>2 handcuff was, my wrist -- where they put the handcuff on,</p> <p>3 and also my head hurt. I think I told them.</p> <p>4 Q. Was that Detective Febus you said that to at that</p> <p>5 time?</p> <p>6 A. Yes.</p> <p>7 Q. Going back to you are in the car, you said it</p> <p>8 took about 45 minutes to an hour to get to the 75 precinct;</p> <p>9 right?</p> <p>10 A. Yes.</p> <p>11 Q. What happened when you arrived at the 75</p> <p>12 precinct?</p> <p>13 A. So they took me upstairs and hand me over to</p> <p>14 Inspector John Chell.</p> <p>15 Q. Did Inspector John Chell say anything to you at</p> <p>16 that point?</p> <p>17 A. You mean at that time after that he say something</p> <p>18 to me?</p> <p>19 Q. Just when you arrived?</p> <p>20 A. Nothing.</p> <p>21 Q. Where did he take you, if anywhere, in the 75</p> <p>22 precinct.</p> <p>23 A. He also put me in individual glass cell.</p> <p>24 Q. Were there any chairs in that cell?</p> <p>25 A. Yes.</p>

## ZENG

<p style="text-align: right;">Page 74</p> <p>1 Q. Was there a table?</p> <p>2 A. Yes.</p> <p>3 Q. Did he go into that cell with you?</p> <p>4 A. He didn't go into the room, he talked to me</p> <p>5 through outside with the door open.</p> <p>6 Q. You said it was glass. Do you mean there were</p> <p>7 windows or were the walls glass or something else?</p> <p>8 A. It was big windows and wall with glass.</p> <p>9 Q. You said the door was open when he was talking to</p> <p>10 you?</p> <p>11 A. Yes.</p> <p>12 Q. What was he talking to you about?</p> <p>13 A. He still asked me why am I suing ACS and who is</p> <p>14 my attorney.</p> <p>15 Q. Was he asking you the same questions that</p> <p>16 Detective Febus and Diego Andrianzan were asking you</p> <p>17 earlier?</p> <p>18 A. Basically they are the same.</p> <p>19 Q. What did you say in response when Inspector Chell</p> <p>20 was asking you those questions?</p> <p>21 A. I didn't really answer their question, I just</p> <p>22 said where are they taking me, why are they arresting me</p> <p>23 and I need to see my attorney and I need to go see doctor's</p> <p>24 and I need to use bathroom.</p> <p>25 Q. What did he say when you told him that you want</p>	<p style="text-align: right;">Page 76</p> <p>1 office was right there and that there was couple</p> <p>2 investigation room.</p> <p>3 Q. What kind of room were you in?</p> <p>4 A. So it's a room, a glass room without a lot of air</p> <p>5 and it was a big piece of glass, windows and wall and a</p> <p>6 very small room.</p> <p>7 Q. You said there was a chair in that room?</p> <p>8 A. Yes.</p> <p>9 Q. Was there anything else in that room?</p> <p>10 A. No.</p> <p>11 Q. After Inspector Chell was asking you questions</p> <p>12 for those 20 to 30 minutes what happened next?</p> <p>13 A. So he took my bag which Febus handed to him and</p> <p>14 he search my bag to find a business card and to make</p> <p>15 copies.</p> <p>16 Q. Do you know whose business card he was looking</p> <p>17 for?</p> <p>18 A. Find attorney's business card.</p> <p>19 Q. Did he tell you why he was looking for them?</p> <p>20 A. No.</p> <p>21 Q. Did you say anything to him when he was doing</p> <p>22 that?</p> <p>23 A. I say you cannot take away my card and then he</p> <p>24 said make a copy. He said he had a right to make copy, to</p> <p>25 do that.</p>
<p style="text-align: right;">Page 75</p> <p>1 today see your attorney, the doctor, and use the bathroom?</p> <p>2 A. He didn't answer.</p> <p>3 Q. How long was he asking you about your ACS</p> <p>4 lawsuit?</p> <p>5 THE INTERPRETER: I don't understand.</p> <p>6 Q. How long was this conversation that you were just</p> <p>7 describing? How many minutes?</p> <p>8 A. About half an hour.</p> <p>9 Q. Were you still in handcuffs at this point?</p> <p>10 A. No.</p> <p>11 Q. When did the handcuffs come off?</p> <p>12 A. Before we enter this door with the glass.</p> <p>13 Q. Who took them off?</p> <p>14 A. The handcuffs, I think it was Febus.</p> <p>15 Q. She took them off, like, right before you were</p> <p>16 being put in this room?</p> <p>17 A. After she take out the handcuff and I enter the</p> <p>18 room and then she left.</p> <p>19 Q. Where was Officer Wiltshire at this point?</p> <p>20 A. Right next to it.</p> <p>21 Q. Did she also leave with Detective Febus?</p> <p>22 A. No. She was always in the big office.</p> <p>23 Q. Earlier you said it was a cell. Are you saying</p> <p>24 this was an office?</p> <p>25 A. So is it on the second floor as John Chell's</p>	<p style="text-align: right;">Page 77</p> <p>1 Q. Do you know if he used that business card to call</p> <p>2 your --</p> <p>3 A. I don't know.</p> <p>4 Q. After he took your attorney's business card to</p> <p>5 make a copy what happened next?</p> <p>6 A. So he took my cell phone and he was talking to</p> <p>7 himself and he was -- he was saying to himself, saying this</p> <p>8 Chinese -- this Chink's cell phone password is setup as own</p> <p>9 birthday or her son's birthday. He was saying that to</p> <p>10 himself.</p> <p>11 Q. Did he access your cell phone? Were you able to</p> <p>12 tell?</p> <p>13 A. I don't know whether or not he was able to access</p> <p>14 to my cell phone.</p> <p>15 Q. Did he say why he was trying to do that?</p> <p>16 A. Previously he keep asking me why I'm suing ACS</p> <p>17 and who was my attorney. He was keep asking me who was my</p> <p>18 attorney.</p> <p>19 Q. And then when he was talking to himself about the</p> <p>20 password on your cell phone that was after he was asking</p> <p>21 you who your attorney was?</p> <p>22 A. Yes.</p> <p>23 Q. After he's talking to himself trying to figure</p> <p>24 out the password what happened next?</p> <p>25 A. So then he put -- he put me in the room alone and</p>

20 (Pages 74 - 77)



## ZENGE

Page 78	Page 80
<p>1 I'm saying that I need to see my attorney, why are you -- I</p> <p>2 have to be here and I want to see my son and when I say I</p> <p>3 want it see my son he answer me later.</p> <p>4 Q. Had you asked to see your son before that?</p> <p>5 A. Yes.</p> <p>6 Q. When did you first ask to see your son?</p> <p>7 A. You are asking me if it was John Chell or Febus?</p> <p>8 Q. So after Inspector Chell said later what happened</p> <p>9 next?</p> <p>10 A. So he put my in the room without no air. It was</p> <p>11 very little air for a long time.</p> <p>12 Q. Is this the same room you were in when he was</p> <p>13 asking you questions or a different room?</p> <p>14 A. He didn't really enter the room. He was asking</p> <p>15 me questions outside the room.</p> <p>16 Q. I'm asking if after he asked you questions did he</p> <p>17 put you in a different room or were you still in the same</p> <p>18 room?</p> <p>19 A. Same room.</p> <p>20 Q. Was the door still open after he finished asking</p> <p>21 you questions?</p> <p>22 A. Then it is closed.</p> <p>23 Q. When did he close it? Was that after he was</p> <p>24 talking to himself about the cell phone password?</p> <p>25 A. Yes. After that.</p>	<p>1 please.</p> <p>2 (Whereupon, the referred to question and</p> <p>3 answer was read back by the Reporter.)</p> <p>4 Q. When you say more than five times are you -- are</p> <p>5 saying is that for all of your complaints total or one</p> <p>6 specific request?</p> <p>7 A. I shout or indicate my complaints, all my</p> <p>8 complaints I shout at the -- when I was -- Chell.</p> <p>9 Q. And that in total was about all of your</p> <p>10 complaints more than five times?</p> <p>11 A. Yes.</p> <p>12 Q. Would you say more than ten times or less?</p> <p>13 A. Around ten times roughly.</p> <p>14 Q. Do you know what time of day this was when you</p> <p>15 were in the -- in the room in the 75 precinct?</p> <p>16 A. So it was January 31st and on the next day,</p> <p>17 February 1st, in the morning I was sent to Kings Criminal</p> <p>18 Court.</p> <p>19 Q. Let me ask a different question.</p> <p>20 Do you know what time you got to the 75 precinct,</p> <p>21 what time of day it was?</p> <p>22 A. Around seven or 8:00 on January 31st.</p> <p>23 Q. It was dark out?</p> <p>24 A. Yes.</p> <p>25 Q. By the time Inspector Chell finished asking you</p>
Page 79	Page 81
<p>1 Q. How long were you in the room alone after that?</p> <p>2 A. More than three hours, I think.</p> <p>3 Q. Did you say anything to anyone during those more</p> <p>4 than three hours?</p> <p>5 A. I keep shouting and they asked me to shut up or</p> <p>6 they completely ignore me. I said I need to see my</p> <p>7 attorney, I need to drink water. I need to see the doctor.</p> <p>8 I need to -- yeah, that's it. I want to see my son.</p> <p>9 Q. When you were shouting this, you were shouting in</p> <p>10 English?</p> <p>11 A. Yes.</p> <p>12 Q. Was there an interpreter there when Inspector</p> <p>13 Chell was asking you questions?</p> <p>14 A. No. I worry that people are going to send me --</p> <p>15 I ask for an interpreter but he ignore me.</p> <p>16 Q. About how many times did you shout the things you</p> <p>17 were saying earlier during those more than three hours when</p> <p>18 you were in that room?</p> <p>19 A. More than five times.</p> <p>20 MR. FRANK: Let's take a five minute break</p> <p>21 if that works for everyone.</p> <p>22 THE INTERPRETER: Okay.</p> <p>23 (Whereupon, a short recess was taken.)</p> <p>24 MR. FRANK: Back on the record at 2:31. If</p> <p>25 you can read the last question and answer,</p>	<p>1 questions it would probably be around 9:00; would that be</p> <p>2 right?</p> <p>3 A. Yes.</p> <p>4 Q. And then you said were you in the cell for more</p> <p>5 than three hours after that?</p> <p>6 A. Yes.</p> <p>7 Q. What happened after those more than three hours?</p> <p>8 What is the very next thing that happened?</p> <p>9 A. So then John Chell put the handcuff on me on the</p> <p>10 back of my -- on my back and he took me downstairs to put</p> <p>11 me in the same cell with other people.</p> <p>12 Q. For those more than three hours before that you</p> <p>13 did not have handcuffs on; right?</p> <p>14 A. That's right.</p> <p>15 Q. Before he put the handcuffs on again were there</p> <p>16 any marks on your wrists?</p> <p>17 A. Yes. Very deep mark.</p> <p>18 Q. What color were they?</p> <p>19 A. Red.</p> <p>20 Q. Did they fade at all over the course of those</p> <p>21 three hours or did they stay the same color?</p> <p>22 A. I don't recall.</p> <p>23 Q. Were your wrists in pain at that time?</p> <p>24 A. Very painful, and some of the area were bleeding.</p> <p>25 Q. Other than the difficulty breathing and the pain</p>

21 (Pages 78 - 81)

## ZENG

<p style="text-align: right;">Page 82</p> <p>1 to your wrists were you experiencing any other pain at that 2 time? 3 A. Headache, and also my whole body hurts. 4 Q. When did your whole body start hurting during 5 this day? 6 A. During that time. 7 Q. Did it start when you were at the 75 precinct or 8 did it start earlier when you were at the Queens Child 9 Abuse Squad or something else? 10 A. I don't recall. 11 Q. Was your body hurting at all earlier in the day 12 before you went to the Queens Child Abuse Squad? 13 A. No. 14 Q. Going back to the 75 precinct, you said after 15 those more than three hours Inspector Chell came and put 16 you in handcuffs. What happened next? 17 A. Then he took me downstairs. And put me in a room. 18 Q. You said there were other people in that room. 19 About how many? 20 A. It seems I was put in a single room. 21 Q. So there was no one else with you down there? 22 A. That's right. 23 Q. Were there other people in other cells? 24 A. Yes. 25 Q. Do you know about how many?</p>	<p style="text-align: right;">Page 84</p> <p>1 Q. Can you describe them, anything you remember 2 about them? 3 A. Some police officer there, a Caucasian officer, 4 medium build. 5 Q. Was he the one who placed you in the cell in that 6 basement? 7 A. I don't understand your question. 8 Q. You said that Inspector Chell handed you to 9 another officer. I'm asking if that other male Caucasian 10 officer was the one who placed you in the cell? 11 A. Yes. 12 Q. Did you say anything to this officer male 13 Caucasian officer? 14 A. I said why you arresting me. I need to see my 15 doctor. I need to see my attorney. I need to eat something. 16 I need to drink something. I need to use the bathroom. I 17 need to see my son. 18 Q. What did this other officer say to you in 19 response? 20 A. He ignore me. 21 Q. Did he say anything to you? 22 A. No. 23 Q. Were there any other officers down there in that 24 basement? 25 A. There were several police officers.</p>
<p style="text-align: right;">Page 83</p> <p>1 A. Five to six people roughly. 2 Q. Did you speak with any of them? 3 A. I said to the police repeatedly why I'm under 4 arrest, I want to see an attorney. I want to see -- I need 5 to see my doctor. I want to see my son. 6 Q. Was it Chell you were making those requests to? 7 A. Yes. 8 Q. How long were you in that area in the 75 9 precinct? 10 A. You mean downstairs; right? 11 Q. Correct. 12 A. Three to four hours. 13 Q. At this point you've been in the 75 precinct for 14 six to seven hours; does that sound right? 15 A. Yes. 16 Q. Was Inspector Chell down there in that basement 17 with you for that whole three to four hours? 18 A. No. 19 Q. How long was he down there with you? 20 A. Very short period of time. He just hand myself to 21 people that are downstairs. 22 Q. Do you know who he handed you to downstairs? 23 A. I don't know. 24 Q. Could you describe -- were they police officers? 25 A. No. All police officer, yes.</p>	<p style="text-align: right;">Page 85</p> <p>1 Q. Did you speak with any of them? 2 A. I said it to them. Repeated the same thing I told 3 you earlier. 4 Q. After the three to four hours that you were down 5 there what happened next? 6 A. Then I was taken to the Queens Criminal Court. 7 Q. This would have been four or five in the morning; 8 does that sound right? 9 A. About two or 3:00 in the morning. 10 Q. Before that when you were in the basement cell 11 did you have handcuffs on? 12 A. Yes. 13 Q. They were on for the whole three to four hours? 14 A. Most of the time and only the time that I was 15 taken to do the fingerprints. 16 Q. That's the only time when they were off, the 17 handcuffs? 18 A. Yes. 19 Q. When were you fingerprinted? 20 THE INTERPRETER: Where? 21 Q. When? 22 A. Before I headed to the Criminal Court. 23 Q. How were you taken to the Criminal Court? 24 A. I was taken by the police car and tookin' to the 25 Criminal Court.</p>

22 (Pages 82 - 85)

## ZENG

<p style="text-align: right;">Page 86</p> <p>1 Q. Do you know which officer took you there? Do you</p> <p>2 know their name or anything?</p> <p>3 A. I don't know. He could be one of the defendant.</p> <p>4 Q. But you are not sure who?</p> <p>5 A. I don't -- I don't know.</p> <p>6 Q. But it was a male officer who took you to Kings</p> <p>7 Criminal Court?</p> <p>8 A. Yes. A few of them.</p> <p>9 Q. Were they all male?</p> <p>10 A. Yes.</p> <p>11 Q. You said over the course of this day and the</p> <p>12 prior day you asked for food, you asked for water; were you</p> <p>13 given water at any point?</p> <p>14 A. No.</p> <p>15 Q. What about food?</p> <p>16 A. No.</p> <p>17 Q. What happened when you arrived at Kings County</p> <p>18 Criminal Court?</p> <p>19 A. So I was put in a very large room waiting for an</p> <p>20 attorney to go to the court.</p> <p>21 Q. When you say the attorney do you mean the public</p> <p>22 defender?</p> <p>23 A. Yes.</p> <p>24 Q. When you say a large room was that the courtroom</p> <p>25 or something else?</p>	<p style="text-align: right;">Page 88</p> <p>1 A. So after I attend the court for eight times it</p> <p>2 was dismissed -- they were dismissed.</p> <p>3 Q. I'm asking about when you were in the court on</p> <p>4 February 1, 2018 did you enter a plea to the charges?</p> <p>5 A. No.</p> <p>6 Q. You didn't plead guilty or not guilty at that</p> <p>7 time?</p> <p>8 A. In the police station they never ask me any crime</p> <p>9 that I was allege on committing. They never really asked me</p> <p>10 the question about those crimes at the precinct.</p> <p>11 Q. I'm just asking about when you were in court on</p> <p>12 the morning of February 1, 2018.</p> <p>13 A. No. I didn't -- I was not plead guilty.</p> <p>14 Q. Were you released from custody after you were at</p> <p>15 the court that day?</p> <p>16 A. Yes.</p> <p>17 Q. Did you go home after that?</p> <p>18 A. Yes.</p> <p>19 Q. Did your son go home with you that day?</p> <p>20 A. No.</p> <p>21 Q. When did you see your son again?</p> <p>22 A. The evening of February 2nd.</p> <p>23 Q. Do you know why you didn't see him until</p> <p>24 February 2nd?</p> <p>25 A. Because he was taken away by ACS, and Detective</p>
<p style="text-align: right;">Page 87</p> <p>1 A. Some cell, like jail in the court.</p> <p>2 Q. How long were you in that cell?</p> <p>3 A. More than four hours, I think.</p> <p>4 Q. Were there other people in that cell with you?</p> <p>5 A. Yes.</p> <p>6 Q. How many about?</p> <p>7 A. About maybe ten, ten or so people.</p> <p>8 Q. Did you speak with any of those ten or so people?</p> <p>9 A. I don't recall.</p> <p>10 Q. What happened after the four or so hours that you</p> <p>11 were in that cell?</p> <p>12 A. Then I saw my attorney. Then I went to the</p> <p>13 court.</p> <p>14 Q. Was this the attorney you were asking to see</p> <p>15 earlier or a different attorney?</p> <p>16 A. No. I never met him, met this person before.</p> <p>17 Q. What happened next after this attorney came?</p> <p>18 A. We went to the court.</p> <p>19 Q. What happened next?</p> <p>20 A. So I was told I was charged with five charges.</p> <p>21 Five top charges. So I was told I was allegedly being</p> <p>22 prosecuted for the top five charges.</p> <p>23 Q. Do you know what those charges were?</p> <p>24 A. I don't remember.</p> <p>25 Q. Do you remember how you pled to those charges?</p>	<p style="text-align: right;">Page 89</p> <p>1 Febus.</p> <p>2 Q. Detectives Febus had your son at that time?</p> <p>3 A. Febus, and the ACS.</p> <p>4 Q. How did you find out that Detective Febus and ACS</p> <p>5 had your son, if ever, at the time?</p> <p>6 A. After they took him back Detective Febus told me.</p> <p>7 Q. Detective Febus brought your son back home on</p> <p>8 February 2nd and that's when you found out?</p> <p>9 A. It was Diego and another social worker said they</p> <p>10 took my son back. They also said it was Detective Febus and</p> <p>11 another person took my son away. They took my son away --</p> <p>12 from school.</p> <p>13 Q. Did they tell you why they had taken him away</p> <p>14 from school?</p> <p>15 A. They just talk about the case of 17-CV-988.</p> <p>16 Q. But they didn't tell you why they took your son</p> <p>17 out of school?</p> <p>18 A. No.</p> <p>19 Q. You said you had to go back to court eight times.</p> <p>20 Why did you have to go back eight times?</p> <p>21 A. To dismiss the top five charges against me.</p> <p>22 Q. Were those five charges ultimately dismissed?</p> <p>23 A. Yes.</p> <p>24 Q. Do you know why the charges were ultimately</p> <p>25 dismissed?</p>

## ZENG

<p style="text-align: right;">Page 90</p> <p>1 A. Because they are not true.</p> <p>2 Q. Did someone tell you that during one of the eight</p> <p>3 times that you went to court?</p> <p>4 A. The judge said.</p> <p>5 Q. This was a judge in Queens Criminal Court; right</p> <p>6 -- Kings Criminal Court or --</p> <p>7 A. Yes.</p> <p>8 Q. The judge said that was the eighth time you were</p> <p>9 there when that happened?</p> <p>10 A. Yes.</p> <p>11 Q. What happened during the other seven times that</p> <p>12 you had to go to court?</p> <p>13 A. Yeah.</p> <p>14 THE INTERPRETER: I think she said she attend</p> <p>15 a total of eight times, a total of eight times.</p> <p>16 Not the eighth time. See what I'm saying.</p> <p>17 MR. FRANK: Yes.</p> <p>18 Q. My understanding is you said the charges were</p> <p>19 dismissed the last time were you there. I'm asking what</p> <p>20 happened the other times you had to go before that?</p> <p>21 A. Just attend the court. Appear in the court.</p> <p>22 Q. After you were released on February 1, 2018 did</p> <p>23 you ever have any other interactions with Detective Febus?</p> <p>24 A. No.</p> <p>25 Q. What about Officer Wiltshire, did you have any</p>	<p style="text-align: right;">Page 92</p> <p>1 checked with me what happened.</p> <p>2 Q. Do you know if Gang Lee Liu met with Officer</p> <p>3 Robley?</p> <p>4 A. I don't know.</p> <p>5 Q. Do you know what you said that Officer Robely was</p> <p>6 claiming that you had called Gang Lee Liu? Can you</p> <p>7 elaborate more on that?</p> <p>8 A. So I really don't know. All the information I got</p> <p>9 is from your colleague, Steven.</p> <p>10 Q. Stephanie DeAngelis; is that who you are</p> <p>11 referring to?</p> <p>12 A. Yes.</p> <p>13 Q. What are claiming that Officer Robley did wrong</p> <p>14 other than what we've already discussed?</p> <p>15 A. So I don't know why Robely did that but Gang Lee</p> <p>16 Liu -- Gang Liu, he's kind of mentally ill because there</p> <p>17 was so many protection order against him in the Family</p> <p>18 Court and also the Criminal Court and so I don't know why</p> <p>19 Robley didn't check the fact.</p> <p>20 He ignored all the fact and just issue a police</p> <p>21 report unfortunately without verifying anything and he</p> <p>22 even, like, start the police report again after 900 hours.</p> <p>23 Q. Do you know if Officer Robely would have had any</p> <p>24 reason to know about those protective orders against Gang</p> <p>25 Lee Liu?</p>
<p style="text-align: right;">Page 91</p> <p>1 other interactions with her after February 1st?</p> <p>2 A. No.</p> <p>3 Q. What about Inspector John Chell?</p> <p>4 A. No.</p> <p>5 Q. You also named Police Officer Christopher Robley,</p> <p>6 R-O-B-L-E-Y, as a defendant in this case; is that correct?</p> <p>7 A. Yes.</p> <p>8 Q. Why did you name Officer Robley in this?</p> <p>9 A. So in February of 2017 Robley, he fabricate the</p> <p>10 police report and after 900 hours he added that police</p> <p>11 report. That's why this whole thing happened. So he was --</p> <p>12 then he done -- thereafter -- I learned this afterwards</p> <p>13 from the City, from the City attorneys.</p> <p>14 Q. What are you claiming that Officer Robley</p> <p>15 fabricated in 2017?</p> <p>16 A. So he make a fake police report saying I call</p> <p>17 Gang Liu to harass him but I never know this thing</p> <p>18 happened.</p> <p>19 Q. Had you called Gang Lee Liu around that time,</p> <p>20 2017?</p> <p>21 A. Never. Since we separated in 2013 I never contact</p> <p>22 him.</p> <p>23 Q. Do you know how Officer Robely would have found</p> <p>24 out between you and Gang Lee Liu?</p> <p>25 A. I don't know. I never met Robley and Robley never</p>	<p style="text-align: right;">Page 93</p> <p>1 A. You can check it in the police system.</p> <p>2 Q. You might have said this earlier, what county</p> <p>3 were the protective orders you had against Gang Lee Liu in?</p> <p>4 A. Queens and Manhattan. One can check the</p> <p>5 protective orders within the City, five boroughs.</p> <p>6 Q. Do you know if Officer Robely forwarded any of</p> <p>7 that information to prosecutors?</p> <p>8 A. I don't know.</p> <p>9 Q. Was Officer Robley ever served with the second</p> <p>10 amended complaint in this case? Strike that.</p> <p>11 Did you initiate anything that would have allowed</p> <p>12 Officer Robely to be served with a second amended complaint</p> <p>13 in this case?</p> <p>14 A. I don't understand your question.</p> <p>15 Q. When you sue someone the complaint has to be</p> <p>16 served on them. I'm asking if you know whether Officer</p> <p>17 Robely was served or if you made any efforts to make sure</p> <p>18 that he got a copy of your complaint?</p> <p>19 A. So he was subpoenaed. The martial -- he was</p> <p>20 subpoenaed by the martial of the court.</p> <p>21 Q. Do you know when that was?</p> <p>22 A. I don't know.</p> <p>23 Q. How about Inspector John Chell, do you know if he</p> <p>24 was ever served with a complaint? Did you make any efforts</p> <p>25 to make sure he was served?</p>

24 (Pages 90 - 93)

## ZENG

Page 94	Page 96
<p>1 A. I don't know; however, I think the City attorney</p> <p>2 -- your City department that told me that they should</p> <p>3 receive the complaint.</p> <p>4 Q. Why did you name Inspector Chell in this lawsuit?</p> <p>5 A. I don't know what you mean mean. John Chell, he</p> <p>6 invade my rights.</p> <p>7 Q. How are you claiming that he invaded your rights</p> <p>8 in this case?</p> <p>9 A. So he utilized violence on me and also he also</p> <p>10 refuse me to see a doctor and that he retain me at the 75</p> <p>11 precinct the for a long time and without telling me why.</p> <p>12 Q. How did Inspector Chell use violence on you; when</p> <p>13 did that happen?</p> <p>14 A. So he push my head against the wall and also put</p> <p>15 the handcuff on me. Also put me in a room without air. So</p> <p>16 he refuse me to go to the doctor, to see my attorney and to</p> <p>17 see my son and didn't tell me why, what charges that I</p> <p>18 committed.</p> <p>19 Q. When you said he pushed your head against the</p> <p>20 wall. Is that different from the time Detective Febus</p> <p>21 pushed your head against the wall?</p> <p>22 A. So he use the word Chinese bitch, Chink bitch,</p> <p>23 when he was trying to open my cell phone and that is the</p> <p>24 discrimination that I'm the Asian.</p> <p>25 Q. What about Detective Febus, why did you name</p>	<p>1 MR. FRANK: Back on the record at 3:27.</p> <p>2 Counsel, I had mentioned earlier wanting to</p> <p>3 continue this deposition to another day given the</p> <p>4 length of the day.</p> <p>5 Do you consent to that.</p> <p>6 MS. ZHANG: The deposition is only seven</p> <p>7 hours. It's the date. Not including the date</p> <p>8 today we have had breaks and now I'm not sure the</p> <p>9 order may have the time. How many hours have we</p> <p>10 already had and so, yeah, it's better we can</p> <p>11 finish it today but if you want more than seven</p> <p>12 hours I say you need to have the court approval.</p> <p>13 So, yeah.</p> <p>14 MR. FRANK: Right. By counsel, maybe the</p> <p>15 court reporter can verify this. Not including</p> <p>16 the breaks we've been going about three hours and</p> <p>17 30 minutes. Is there anyway to verify that?</p> <p>18 MS. ZHANG: We've had an hour for lunch. We</p> <p>19 have five hours.</p> <p>20 MR. FRANK: My point is we haven't gotten to</p> <p>21 the full seven hours yet. I want to the ask a few</p> <p>22 more questions and kick off the rest on a</p> <p>23 different day. Do you consent if it stays within</p> <p>24 the seven hours?</p> <p>25 MS. ZHANG: We want one day because the</p>
Page 95	Page 97
<p>1 Detective Febus in this lawsuit?</p> <p>2 A. So he -- she used violence, utilize the violence</p> <p>3 against me and also she refuse all my requests and when she</p> <p>4 arrest me. She didn't even say you have the right to</p> <p>5 remain silent, you know, things like that, and you have the</p> <p>6 right for attorney, things like that. She never really say</p> <p>7 that. And she took away my son.</p> <p>8 Q. What about Officer Wiltshire, why did you name</p> <p>9 her in this lawsuit?</p> <p>10 A. So she is also the -- she is also the accomplice</p> <p>11 of the case. She also dragged me and push me.</p> <p>12 Q. Are you claiming that Officer Wiltshire did</p> <p>13 anything else other than dragging you and pushing you?</p> <p>14 A. I want to see the doctor and I want to see my</p> <p>15 attorneys and she deny all my reasonable requests and she</p> <p>16 would not let me use the bathroom.</p> <p>17 MR. FRANK: Let's take another short break</p> <p>18 if that works, I think five minutes, I'll ask a</p> <p>19 few more questions but I think the best thing to</p> <p>20 do since it's been a long day we'll wrap up and</p> <p>21 finish another day.</p> <p>22 THE INTERPRETER: Okay. Sure.</p> <p>23 MR. FRANK: Five minutes, and then we'll</p> <p>24 come back. Off the record at 3:20.</p> <p>25 (Whereupon, a short recess was taken.)</p>	<p>1 second day that means the court reporter need to</p> <p>2 come again and my client needs to come again.</p> <p>3 That's not the court. The court wants it to be</p> <p>4 one day.</p> <p>5 MR. FRANK: So you don't consent to</p> <p>6 continuing another day then. Okay.</p> <p>7 Well, I think we are going to ask for more</p> <p>8 time because the translation does cause the</p> <p>9 deposition to be longer so it's quite a few</p> <p>10 questions to get through.</p> <p>11 Do you consent to that or no?</p> <p>12 MS. ZHANG: I consented today to seven</p> <p>13 hours. A little more is okay but if you want a</p> <p>14 second day I'm not going to consent.</p> <p>15 MR. FRANK: All right. So then we will keep</p> <p>16 going.</p> <p>17 THE INTERPRETER: I didn't know this</p> <p>18 deposition was anticipated to be this long. I'm</p> <p>19 only available until 4:30.</p> <p>20 MR. FRANK: Given that then I think we're</p> <p>21 going to need to pick up another day anyway.</p> <p>22 Counsel, would you consent to then finish</p> <p>23 the other portion on another day given that time</p> <p>24 constraint?</p> <p>25 MS. ZHANG: How many hours you want the</p>

25 (Pages 94 - 97)

## ZENG

Page 98	Page 100
<p>1 second day?</p> <p>2 MR. FRANK: Well, I want at least to get to</p> <p>3 the seven. And then I think we're going to ask</p> <p>4 for more time to evaluate once I find out how</p> <p>5 long we've been going already but I think we're</p> <p>6 going to ask for more time to finish up. I'm not</p> <p>7 sure how long.</p> <p>8 MS. ZHANG: I'm not consenting now but maybe</p> <p>9 we can talk later after this deposition. If you</p> <p>10 still need a second deposition you can.</p> <p>11 MR. FRANK: We definitely will need a second</p> <p>12 day because the interpreter said she's going to</p> <p>13 be here only another hour.</p> <p>14 MS. ZHANG: I can't consent. Use the time</p> <p>15 until it's over and then we can communicate for</p> <p>16 the second day if you still want then.</p> <p>17 MR. FRANK: We'll go to 4:30 today and then</p> <p>18 we'll figure it out from there. Okay.</p> <p>19 THE INTERPRETER: Also, it's because the</p> <p>20 translation quality because I'm the one who is</p> <p>21 talking back and forth.</p> <p>22 MR. FRANK: You said that.</p> <p>23 THE INTERPRETER: I want to provide a good</p> <p>24 service. It's not that I don't want to do it but</p> <p>25 I do have another assignment afterwards.</p>	<p>1 Q. Did you ever break a bone during that ten-year</p> <p>2 period?</p> <p>3 A. No.</p> <p>4 Q. Did you have any surgeries during that ten-year</p> <p>5 period?</p> <p>6 A. No.</p> <p>7 Q. You are claiming you suffered physical injuries</p> <p>8 as a result of the incident. Can you list all of the</p> <p>9 physical injuries you are claiming?</p> <p>10 A. I have a pain on my extremities and it requires</p> <p>11 physical therapies especially on my head and my neck and my</p> <p>12 back and my legs.</p> <p>13 Q. Did you go to physical therapy for your head,</p> <p>14 neck, back or legs before January 31, 2018?</p> <p>15 A. No.</p> <p>16 Q. Do you still go to the physical therapy for your</p> <p>17 head, neck, back and/or legs?</p> <p>18 A. Due to the pandemic I stopped for a while. I</p> <p>19 didn't go.</p> <p>20 Q. Have you started going again at all since the</p> <p>21 pandemic started?</p> <p>22 A. The physical therapy keep telling me that I still</p> <p>23 need to have physical therapy at least once a week but</p> <p>24 because pandemic I don't care to go.</p> <p>25 Q. When was last time you went to physical therapy?</p>
Page 99	Page 101
<p>1 MR. FRANK: Of course.</p> <p>2 Q. Ms. Zeng, are you aware of any other witnesses to</p> <p>3 the incident on January 31st and February 1, 2018 other</p> <p>4 than the ones we've already discussed.</p> <p>5 A. No.</p> <p>6 Q. Other than you who else has knowledge of the</p> <p>7 facts to support your claims?</p> <p>8 A. No.</p> <p>9 Q. No, you don't know if anyone else has knowledge</p> <p>10 to support the facts support your claims?</p> <p>11 A. I'm not sure.</p> <p>12 Q. Have you talked to anyone else about this</p> <p>13 incident other than your attorneys?</p> <p>14 A. No.</p> <p>15 Q. If this case goes to trial is there anyone you</p> <p>16 plan on calling to testify?</p> <p>17 A. I'm not sure.</p> <p>18 Q. I want to ask you some questions about the ten</p> <p>19 years preceding this incident so that would be January 31,</p> <p>20 2008 through January 31, 2018.</p> <p>21 Do you understand?</p> <p>22 A. Yes.</p> <p>23 Q. In that ten-year period did you ever go to the</p> <p>24 hospital?</p> <p>25 A. No. Before this incident, no.</p>	<p>1 A. A year ago. Last year.</p> <p>2 Q. 2021?</p> <p>3 A. Yes.</p> <p>4 Q. What was that physical therapy for?</p> <p>5 A. For my neck, my back and my legs.</p> <p>6 Q. What is the name of that physical therapist?</p> <p>7 A. I don't remember the exact address. I think it's</p> <p>8 around 107 East Broadway.</p> <p>9 Q. I'm asking for the name of the physical</p> <p>10 therapist?</p> <p>11 A. It was a very long name, I don't recall.</p> <p>12 Q. Were you prescribed anything other than physical</p> <p>13 therapy for your injuries?</p> <p>14 A. Every week I need to see the therapist for my</p> <p>15 PTSD and for my anxiety.</p> <p>16 Q. For the PTSD and anxiety and for your neck, arms,</p> <p>17 back and legs, is there anything else you are claiming in</p> <p>18 this lawsuit?</p> <p>19 A. I'm claiming dizziness and also I lost my</p> <p>20 hearing.</p> <p>21 Q. Other than those is there anything else you are</p> <p>22 claiming?</p> <p>23 A. And also hair loss and also I have skin problem.</p> <p>24 Q. Did either of those start before January 31,</p> <p>25 2018?</p>



## ZENG

Page 102	Page 104
<p>1 A. No.</p> <p>2 Q. Are there any other injuries you are claiming?</p> <p>3 A. No.</p> <p>4 Q. Did you seek treatment for the hair loss and I</p> <p>5 think you said skin injury?</p> <p>6 A. Yeah.</p> <p>7 Q. Who did you see for that?</p> <p>8 A. Huachen Wei, H-U-A-C-H-E-N W-E-I.</p> <p>9 Q. When was the last time you saw that</p> <p>10 dermatologist?</p> <p>11 A. So because the pandemic I stopped the treatment</p> <p>12 but I also keep using Motrin that is for the hair loss.</p> <p>13 Q. Has that helped with the hair loss?</p> <p>14 A. Some help.</p> <p>15 Q. What about the dizziness, do you take anything</p> <p>16 for that?</p> <p>17 A. The doctor said it's really hard to cure so it's</p> <p>18 kind of dangerous if it happen when I was on the road. It</p> <p>19 was -- it happened twice that I went to the emergency room</p> <p>20 due to my dizziness.</p> <p>21 Q. When was that both times?</p> <p>22 A. It happen after the incident so one is in 2018,</p> <p>23 one is 2019.</p> <p>24 Q. Do you know how long?</p> <p>25 A. Both times it happened in 2018.</p>	<p>1 MS. ZHANG: You only need to ask one time.</p> <p>2 MR. FRANK: I ask that you, use the word</p> <p>3 objection going forward. Speaking objections</p> <p>4 aren't really permitted.</p> <p>5 Q. Prior to January 31, 2018 did you ever have any</p> <p>6 mental health issues or conditions?</p> <p>7 A. No.</p> <p>8 Q. You never sought mental health treatment before</p> <p>9 this incident?</p> <p>10 A. I don't recall but basically yes.</p> <p>11 Q. Other than PTSD and anxiety were you diagnosed</p> <p>12 with any other mental health conditions?</p> <p>13 A. So the doctor diagnosed that I had PTSD and also</p> <p>14 the Ross Spectrum anxiety and also depression.</p> <p>15 Q. What kind of anxiety was that?</p> <p>16 THE INTERPRETER: I think it's Ross</p> <p>17 Spectrum.</p> <p>18 A. And the depression.</p> <p>19 Q. Any other mental health conditions?</p> <p>20 A. No.</p> <p>21 Q. Did a doctor tell you what caused each of those</p> <p>22 mental health conditions?</p> <p>23 A. It was caused by this incident.</p> <p>24 Q. When did you start feeling anxious or depressed?</p> <p>25 A. So right away I start to feel that and after that</p>
Page 103	Page 105
<p>1 Q. Do you know how long after the incident?</p> <p>2 A. Within three months.</p> <p>3 Q. What hospital did you go to or what emergency</p> <p>4 room?</p> <p>5 A. One time I went to Mount Sinai Beth Israel. Then</p> <p>6 the other one I went to Downtown hospital.</p> <p>7 Q. Did any doctor tell you what caused the</p> <p>8 dizziness?</p> <p>9 A. Well, according to the psychiatrist saying</p> <p>10 because my mood cause the brain to knock off the oxygen. It</p> <p>11 happened when -- if I'm in a really close space.</p> <p>12 Q. Did your psychiatrist tell you that was because</p> <p>13 of the incident on January 31st and February 1, 2018?</p> <p>14 A. Yes. The doctor say so.</p> <p>15 Q. What was the name of that psychiatrist again?</p> <p>16 I'm sorry, I know you told me earlier.</p> <p>17 A. Andrew Chung and John Chung.</p> <p>18 Q. When is the last time you saw either of those</p> <p>19 doctors?</p> <p>20 A. Andrew Chung is like once a month and John Chung</p> <p>21 is probably more or less the same.</p> <p>22 MS. ZHANG: Can I interrupt. These are</p> <p>23 questions you already asked this morning?</p> <p>24 MR. FRANK: Yes. I'm trying to clarify if</p> <p>25 it's the same doctor.</p>	<p>1 my insurance was stopped by the City and I didn't go to the</p> <p>2 doctor till March.</p> <p>3 Q. Do you know why your insurance was stopped?</p> <p>4 A. They told me it's the City stopped my insurance.</p> <p>5 Q. Did they tell you why?</p> <p>6 A. According to the Medicaid, the insurance company,</p> <p>7 they are saying that ACS or the City provide wrong</p> <p>8 information, that's why they stopped my insurance.</p> <p>9 Q. When did you find that out?</p> <p>10 A. It's right after the incident that I was going to</p> <p>11 see -- I was going to see the emergency -- I'm going to</p> <p>12 emergency room but my doctor told me that my insurance was</p> <p>13 no longer valid.</p> <p>14 Q. You were saying earlier that you had suffered</p> <p>15 from PTSD, anxiety, depression; how long did those last?</p> <p>16 A. Up to this moment I'm still taking medication.</p> <p>17 Q. Has it improved at all overtime?</p> <p>18 A. After I take the medication it help so I cannot</p> <p>19 stop the medication unless it would be worse.</p> <p>20 Q. You started taking that medication in 2018?</p> <p>21 A. Yes.</p> <p>22 Q. Do you know how long after the incident?</p> <p>23 A. Two months after the incident.</p> <p>24 Q. Did you get insurance back at that time or no?</p> <p>25 A. Yes.</p>

## ZENG

Page 106	Page 108
<p>1 Q. How did you get insurance again?</p> <p>2 A. During that period of time I don't know the exact</p> <p>3 date.</p> <p>4 Q. Did you apply for it?</p> <p>5 A. Yeah.</p> <p>6 Q. Was it Medicaid?</p> <p>7 A. Yes.</p> <p>8 Q. What kind of symptoms have you had from the PTSD</p> <p>9 since the incident?</p> <p>10 A. So I -- I have nightmare continuously and I'm</p> <p>11 dreaming that I was arrested again and I cannot hear, I</p> <p>12 cannot smell. I am afraid to be in touch with people. And I</p> <p>13 cannot stand to be the in the subway or it's crowded. I</p> <p>14 feel that I was going to be suffocated.</p> <p>15 Right now if I see a police I would be very</p> <p>16 scared because I am afraid they going to arrest me again</p> <p>17 and in the past when I see the police I feel I won't be</p> <p>18 protected, you know, at least, but right now I see a police</p> <p>19 I'm afraid that I will be arrested again.</p> <p>20 Q. What about your anxiety, are the symptom the same</p> <p>21 or do you have any other symptoms from that?</p> <p>22 A. So I constantly worry about things and I couldn't</p> <p>23 sleep well. I feel nervous, you know, for an incident and I</p> <p>24 worry constantly.</p> <p>25 Q. What about the depression, are the symptoms the</p>	<p>1 A. Yes.</p> <p>2 Q. What did you tell them about the cause of the</p> <p>3 symptoms?</p> <p>4 A. I constantly have nightmare and constantly remind</p> <p>5 me of that incident.</p> <p>6 Q. Did you see any other doctor, psychologist,</p> <p>7 therapist, anyone else other than who we've already</p> <p>8 discussed?</p> <p>9 A. No.</p> <p>10 Q. Any other treatment other than what we've already</p> <p>11 discussed?</p> <p>12 A. No.</p> <p>13 Q. For any of the treatment we discussed today did</p> <p>14 you have to pay out of pocket?</p> <p>15 A. Some of them I need to, some of them I don't.</p> <p>16 Q. Approximately how much did you have to pay in</p> <p>17 total?</p> <p>18 A. About 2000.</p> <p>19 Q. And that's for all of the treatment we've</p> <p>20 discussed today, the out of pocket?</p> <p>21 A. It was those hourly paid. There was something</p> <p>22 that I have to pay afterwards.</p> <p>23 Q. Do you mean there are still things that you</p> <p>24 haven't paid?</p> <p>25 A. Like for my hair loss, if I want to continue to</p>
Page 107	Page 109
<p>1 same or do you have different symptoms from that?</p> <p>2 A. So I feel nervous and scared and so I feel my</p> <p>3 illness will not go away. I feel dizziness and I feel very</p> <p>4 tired. Sometime I wish I would never wake up again.</p> <p>5 Q. Have you had any other symptoms from the mental</p> <p>6 health conditions you've described other than what we've</p> <p>7 already discussed?</p> <p>8 A. No.</p> <p>9 Q. Did you have any of these symptoms before</p> <p>10 January 31, 2018?</p> <p>11 A. No.</p> <p>12 Q. Other than the psychiatrist you mentioned have</p> <p>13 you seen anyone else for your mental health conditions?</p> <p>14 A. So before I see the counselor, counseling, so it</p> <p>15 was City supplement they were doing a home visit. It's a</p> <p>16 university settlement.</p> <p>17 Q. That was a counselor you saw before you saw the</p> <p>18 psychiatrist; is that correct?</p> <p>19 A. Roughly around the same time.</p> <p>20 Q. What did you tell that counselor about your</p> <p>21 symptoms?</p> <p>22 A. I talk about this incident that I feel very</p> <p>23 scared.</p> <p>24 Q. Did you talk about the same things with your</p> <p>25 psychiatrist?</p>	<p>1 see a therapist I need to pay out of my own pocket.</p> <p>2 Q. For that 2000 or so that you paid out of pocket</p> <p>3 was any of that reimbursed?</p> <p>4 A. No.</p> <p>5 Q. Do you have any family history of mental health</p> <p>6 problems?</p> <p>7 A. No.</p> <p>8 Q. Earlier this morning you said you were claiming</p> <p>9 lost income as a result of this incident. You were saying</p> <p>10 you had trouble getting jobs.</p> <p>11 How much are you are claiming in lost income?</p> <p>12 A. I'm not sure.</p> <p>13 Q. You haven't worked since before this incident;</p> <p>14 right?</p> <p>15 A. Yes.</p> <p>16 Q. Do you have any evidence that would show the lost</p> <p>17 income after this incident?</p> <p>18 A. Not sure.</p> <p>19 Q. Are there any other ways that we haven't already</p> <p>20 discussed in which you claim you lost money as a result of</p> <p>21 the incident?</p> <p>22 A. I have to go to the doctor and I have to find an</p> <p>23 attorney and I have to go to the Criminal Court again and</p> <p>24 again.</p> <p>25 Q. Were there any expenses with going to the</p>


## ZENG

Page 110	Page 112
<p>1 Criminal Court?</p> <p>2 A. Yes.</p> <p>3 Q. What were those?</p> <p>4 A. I forgot.</p> <p>5 Q. And then you said your attorney was an expense.</p> <p>6 I'm not asking about any conversations you've had with your</p> <p>7 attorney but could you estimate how much you've had to pay</p> <p>8 for attorneys?</p> <p>9 MS. ZHANG: Objection.</p> <p>10 MR. FRANK: Are you asserting privilege or</p> <p>11 she can answer?</p> <p>12 MS. ZHANG: You mean which attorney?</p> <p>13 MR. FRANK: I'm asking in general.</p> <p>14 MS. ZHANG: Meaning whether she has several</p> <p>15 cases.</p> <p>16 MR. FRANK: For this case. Just as a result</p> <p>17 of this case.</p> <p>18 A. I don't recall.</p> <p>19 Q. Before January 31, 2018 were you ever arrested?</p> <p>20 A. No. I don't recall.</p> <p>21 Q. How about after you were released on February 2,</p> <p>22 2018 were you ever arrested again?</p> <p>23 THE INTERPRETER: Can you repeat that?</p> <p>24 Q. After you were released on February 2, 2018 were</p> <p>25 you ever arrested again?</p>	<p>1 A. It was either in May -- no. April or February.</p> <p>2 Q. Of what year?</p> <p>3 A. 2019.</p> <p>4 Q. Were you in custody at all as a result of that</p> <p>5 January 2019 arrest?</p> <p>6 A. Yes.</p> <p>7 Q. For how long?</p> <p>8 A. I don't recall.</p> <p>9 Q. Did you hire a lawyer for that case?</p> <p>10 A. Yes.</p> <p>11 Q. What was the name of that attorney?</p> <p>12 A. I just found an attorney in rush. I don't recall</p> <p>13 the name of the attorney.</p> <p>14 Q. Since that January 2019 arrest have you ever been</p> <p>15 arrested any other times?</p> <p>16 A. No.</p> <p>17 Q. You've been arrested two times in total then; is</p> <p>18 that correct?</p> <p>19 A. Yes.</p> <p>20 Q. Have you ever been incarcerated?</p> <p>21 A. No.</p> <p>22 Q. Have you ever used drugs of any kind other than</p> <p>23 drugs that were prescribed to you by a doctor?</p> <p>24 A. No.</p> <p>25 Q. Have you ever written anything down about this</p>
Page 111	Page 113
<p>1 A. After 2018, yes.</p> <p>2 Q. When was that?</p> <p>3 A. 2019.</p> <p>4 Q. Do you remember the month or day?</p> <p>5 A. It was in January.</p> <p>6 Q. What were you arrested for in January of 2019?</p> <p>7 A. I was threatened by ACS and the police to</p> <p>8 withdraw the case. So I was told to withdraw the case, ACS,</p> <p>9 177-CV-899, and also this day -- and I was told not to</p> <p>10 attend -- I was told not to attend the 50-H hearing.</p> <p>11 Q. Why were you arrested in January 2019 is what I'm</p> <p>12 asking.</p> <p>13 A. So I was threatened by ACS and ACS sue me. They</p> <p>14 ask me to withdraw the case.</p> <p>15 Q. I understand that but I'm asking what. Is that</p> <p>16 what they told you to why you were arrested?</p> <p>17 A. Yes.</p> <p>18 Q. What were you charged with after that</p> <p>19 January 2019 arrest?</p> <p>20 A. ACS was accusing me not to bring my son to his</p> <p>21 father.</p> <p>22 Q. Do you know what the actual criminal charge was</p> <p>23 or no?</p> <p>24 A. No. It actually was dismissed later.</p> <p>25 Q. Do you know when it was dismissed?</p>	<p>1 lawsuit or the underlying incident other than the documents</p> <p>2 involved with this case?</p> <p>3 A. No. I don't quite understand what you meant.</p> <p>4 Q. Other than the documents you've had to file or</p> <p>5 your attorneys had to file in this case I'm asking if</p> <p>6 you've written about this case anywhere else like in a</p> <p>7 diary or e-mail or social media and I'm not asking about</p> <p>8 conversations you've had with your attorney?</p> <p>9 A. No. I don't recall.</p> <p>10 Q. Do you have a social media account?</p> <p>11 A. No.</p> <p>12 Q. Have you ever had a social media account?</p> <p>13 A. I don't recall.</p> <p>14 Q. Do you know if any family or friends would have</p> <p>15 written anything about this incident?</p> <p>16 A. I'm not sure.</p> <p>17 Q. Are you aware of any videos or photos that might</p> <p>18 exist from January 31, 2018 and February 1, 2018 of the</p> <p>19 incident?</p> <p>20 A. I don't know.</p> <p>21 Q. Have you ever seen any photo or video of any part</p> <p>22 of the incident?</p> <p>23 A. No.</p> <p>24 Q. When did you first consider bringing this</p> <p>25 lawsuit?</p>

## ZENG

Page 114	Page 116
<p>1 A. For this incident?</p> <p>2 Q. Yes.</p> <p>3 A. After I was -- I mean put in lockup and also they</p> <p>4 took away my son. I was planning on finding attorney.</p> <p>5 Q. Did you suffer any other damages from this</p> <p>6 incident that we didn't already talk about today?</p> <p>7 A. No.</p> <p>8 Q. Is there anything important about this incident</p> <p>9 we haven't discussed that you want to mention?</p> <p>10 A. No.</p> <p>11 Q. Did you meet with your attorneys at all to</p> <p>12 prepare for this deposition? Again, I'm not asking about</p> <p>13 any conversations you've had with them just asking if you</p> <p>14 met with them?</p> <p>15 A. No.</p> <p>16 Q. Did you review any documents to prepare for the</p> <p>17 deposition today?</p> <p>18 A. No.</p> <p>19 Q. In the second amended complaint that I showed you</p> <p>20 earlier you brought an excessive force claim; is that</p> <p>21 correct?</p> <p>22 THE INTERPRETER: Say that again.</p> <p>23 Q. In the second amended complaint that I showed you</p> <p>24 earlier you brought an excessive force claim; is that</p> <p>25 right?</p>	<p>1 MR. FRANK: I stopped sharing. I'm sure the</p> <p>2 translator has to go in a few minutes. I'm going</p> <p>3 to take a short couple minutes to go over my</p> <p>4 notes to see whether or not I have anymore</p> <p>5 questions.</p> <p>6 THE INTERPRETER: Are we taking a break?</p> <p>7 MR. FRANK: Yes. Three minutes at 4:23.</p> <p>8 (Whereupon, a short recess was taken.)</p> <p>9 MR. FRANK: Back on at 4:25 p.m. The</p> <p>10 translator said she has to go at 4:30. We've been</p> <p>11 approximately six hours now.</p> <p>12 Ms. Zeng, do we have your consent to</p> <p>13 continue to another day, if necessary, to adjourn</p> <p>14 for today since the translator has to leave?</p> <p>15 MS. ZHANG: My client said she has to finish</p> <p>16 today.</p> <p>17 MR. FRANK: Ms. Zhang, she has to leave at</p> <p>18 4:30 so we can't finish today because of that. Do</p> <p>19 we have your consent to continue to another day,</p> <p>20 if necessary?</p> <p>21 MS. ZHANG: Can you get another interpreter?</p> <p>22 MR. FRANK: At this point I don't think we</p> <p>23 can get another interpreter. Put it on the</p> <p>24 record, the objection.</p> <p>25 MS. ZHANG: Yes, want to object.</p>
Page 115	Page 117
<p>1 THE INTERPRETER: Sorry, I don't understand</p> <p>2 the excessive force claim.</p> <p>3 MR. FRANK: Let's see if I can ask it</p> <p>4 another way. Give me one moment.</p> <p>5 THE INTERPRETER: You mean excessive force?</p> <p>6 MR. FRANK: Yes.</p> <p>7 THE INTERPRETER: Excessive force. Okay.</p> <p>8 It's kind of hard to translate it.</p> <p>9 Q. I'm going to show you again what's been marked as</p> <p>10 Exhibit A. It's the second amended complaint.</p> <p>11 THE INTERPRETER: I think I know what you</p> <p>12 mean.</p> <p>13 Q. You are able to see the document on your screen?</p> <p>14 A. Yes.</p> <p>15 Q. I'm going to go to page 24.</p> <p>16 Are you able to see that part of the document on</p> <p>17 your screen?</p> <p>18 A. Yes.</p> <p>19 Q. This is the third version of your complaint in</p> <p>20 this case; right?</p> <p>21 A. Yes.</p> <p>22 Q. Did you bring an excessive force claim in the</p> <p>23 other two versions of the complaint?</p> <p>24 A. I don't recall because it was written by the</p> <p>25 attorneys.</p>	<p>1 MR. FRANK: What is the basis of that?</p> <p>2 MS. ZHENG: Court said seven hours. You said</p> <p>3 already six hours. It's not including the breaks.</p> <p>4 MR. FRANK: Right. So I think we've reached</p> <p>5 six hours not including the breaks meaning</p> <p>6 there's about an hour left.</p> <p>7 MS. ZHANG: Okay. My client prefers to have</p> <p>8 the deposition finished today. We can ask for</p> <p>9 whether there is another interpreter available.</p> <p>10 Do you want to try?</p> <p>11 MR. FRANK: I don't know if either of you</p> <p>12 know of another interpreter can be found at this</p> <p>13 point.</p> <p>14 MS. ZHANG: Yes.</p> <p>15 MR. FRANK: Ms. Chiang or Ms. Court</p> <p>16 Reporter, do you know if there is there anyway to</p> <p>17 get another interpreter?</p> <p>18 THE REPORTER: I don't know of any. It's out</p> <p>19 of my league.</p> <p>20 THE INTERPRETER: I don't know.</p> <p>21 MR. FRANK: Given that, I don't think we'll</p> <p>22 be able to get another interpreter for right now.</p> <p>23 I'm asking just to adjourn for the last hour we</p> <p>24 have left so are you still objecting to that</p> <p>25 then?</p>

## ZENG

<p style="text-align: right;">Page 118</p> <p>1 MS. ZHANG: Yes, objection. Objection for</p> <p>2 now.</p> <p>3 MR. FRANK: Just so I understand, the basis</p> <p>4 is just because your client would prefer to</p> <p>5 finish today?</p> <p>6 MS. ZHANG: Yes. It's also too much for my</p> <p>7 client suffering sitting here and answering the</p> <p>8 questions and remember to recall this information</p> <p>9 again and again.</p> <p>10 MR. FRANK: Okay. Well, I'd like to adjourn</p> <p>11 for today and now that you have an objection to</p> <p>12 continuing but like to keep the deposition open</p> <p>13 and we can resolve this offline. Okay.</p> <p>14 MS. ZHANG: Yes. Okay.</p> <p>15 MR. FRANK: Thank you everyone for your time</p> <p>16 today. All of you I appreciate it. I know it's</p> <p>17 been a long day and I hope everyone stays safe</p> <p>18 and take care.</p> <p>19 (Whereupon, the aforementioned documents</p> <p>20 were marked electronically as Defendant's</p> <p>21 Exhibits A &amp; B for identification as of this date</p> <p>22 by the Reporter.)</p> <p>23 (Whereupon, at 4:29 p.m., the examination of</p> <p>24 this witness was concluded.)</p> <p>25       ○       ○       ○       ○</p>	<p style="text-align: right;">Page 120</p> <p>1 E X H I B I T S</p> <p>2</p> <p>3 DEFENDANT'S EXHIBITS:</p> <p>4 EXHIBIT   EXHIBIT                   PAGE</p> <p>5 LETTER   DESCRIPTION</p> <p>6 Exh A   Complaint               74</p> <p>7 Exh B   Document               74</p> <p>8 (Exhibits retained by Counsel.)</p> <p>9</p> <p>10</p> <p>11 I N D E X</p> <p>12 EXAMINATION BY                   PAGE</p> <p>13 MR. FRANK                       4</p> <p>14</p> <p>15</p> <p>16 QUESTIONS MARKED FOR RULINGS</p> <p>17 PAGE LINE   QUESTION</p> <p>18 24   19   What are you appealing in that case?</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>
<p style="text-align: right;">Page 119</p> <p>1 D E C L A R A T I O N</p> <p>2</p> <p>3 I hereby certify that having been first duly</p> <p>4 sworn to testify to the truth, I gave the above testimony.</p> <p>5</p> <p>6 I FURTHER CERTIFY that the foregoing transcript</p> <p>7 is a true and correct transcript of the testimony given by</p> <p>8 me at the time and place specified hereinbefore.</p> <p>9</p> <p>10</p> <p>11</p> <p>12</p> <p>13 _____</p> <p>14 XIAMIN ZENG</p> <p>15</p> <p>16 Subscribed and sworn to before me</p> <p>17 this ____ day of _____ 20__.</p> <p>18</p> <p>19</p> <p>20 _____</p> <p>21 NOTARY PUBLIC</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p style="text-align: right;">Page 121</p> <p>1 C E R T I F I C A T E</p> <p>2</p> <p>3 STATE OF NEW YORK    )</p> <p>4                               : SS.:</p> <p>5 COUNTY OF RICHMOND   )</p> <p>6</p> <p>7 I, JOANNE CAPPARELLI, a Notary Public for and</p> <p>8 within the State of New York, do hereby certify:</p> <p>9 That the witness whose examination is</p> <p>10 hereinbefore set forth was duly sworn and that such</p> <p>11 examination is a true record of the testimony given by that</p> <p>12 witness.</p> <p>13 I further certify that I am not related to any</p> <p>14 of the parties to this action by blood or by marriage and</p> <p>15 that I am in no way interested in the outcome of this</p> <p>16 matter.</p> <p>17 IN WITNESS WHEREOF, I have hereunto set my hand</p> <p>18 this 19th day of September 2022.</p> <p>19</p> <p>20 </p> <p>21 JOANNE CAPPARELLI</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>

ERRATA SHEET VERITEXT/NEW YORK REPORTING, LLC			
CASE NAME: Zeng, Xiamin v. Andrianzan, Diego, Et Al.			
DATE OF DEPOSITION: 9/8/2022			
WITNESSES' NAME: Xiamin Zeng			
PAGE	LINE (S)	CHANGE	REASON
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Xiamin Zeng			
SUBSCRIBED AND SWORN TO BEFORE ME			
THIS ____ DAY OF _____, 20__.			
23			
24			
(NOTARY PUBLIC)		MY COMMISSION EXPIRES:	



[&amp; - 8:00]

Page 1

&	2	2019-032836	4
& 2:3 3:13 118:21	2 110:21,24 20 8:12 65:11,12	2:13 2021 30:3 101:2 2022 1:13 121:17	4 120:13 40s 47:25
1	69:7,7 76:12	22-2217 2:13	42-40 2:4
1 3:13 88:4,12 90:22 99:3 103:13 113:18	119:16 122:22 2000 108:18 109:2	23263 1:9 24 7:4,6 115:15	45 45:7 68:5,5,7 73:8
100 2:11	2008 99:20	120:17	46 28:6 45:11
10007 2:12	2013 9:21 10:5	24340 1:8 2:10	48 6:25
107 101:8	10:22 26:13	27763 1:8	49 31:5
10:00 43:15	91:21	2:31 79:24	4:23 116:7
10:05 1:14	2016 30:17 36:11	2nd 88:22,24	4:25 116:9
11361 2:5	2017 11:17 13:6	89:8	4:29 118:23
11:00 46:4	13:7 14:2,8	3	4:30 97:19 98:17
11:56 40:21	22:10 31:3 36:5	30 3:12 48:18	116:10,18
12:00 47:7,7	36:8 91:9,15,20	76:12 96:17	5
12:06 40:22	2018 4:24 8:11	31 4:24 8:11,14	5'4 8:9
12:08 40:25	8:14,21,24 9:6	8:21,24 9:6,13	50 32:4 111:10
145 8:9	9:13,18 11:23	11:23 19:12,17	5354 1:7
15 30:17	14:8,17 19:8,12	26:17 32:23	6
16 30:3 31:3	19:17 22:1 23:4	41:11,20 43:4	68 27:18,22 45:5
17 33:7 34:24	25:23 26:5,12,17	52:21 99:19,20	6:00 43:8,9
35:7 44:12	32:23,24 35:5,22	100:14 101:24	7
46:23 47:4	36:15 40:8	104:5 107:10	74 120:5,6
54:10,13 89:15	41:11,20 43:4	110:19 113:18	74-4 29:25
177 39:25 111:9	52:21 88:4,12	31st 38:3,5 41:14	75 68:1,4 73:8,11
18 32:24 35:5,22	90:22 99:3,20	41:16 80:16,22	73:21 80:15,20
36:14 40:8	100:14 101:25	99:3 103:13	82:7,14 83:8,13
18th 38:4 40:3	102:22,25	32 28:12	94:10
41:10	103:13 104:5	3218 1:5	7:25 43:11
19 1:5 120:17	105:20 107:10	37 8:15	8
1981 7:21,23	110:19,22,24	3830 121:20	8 1:13
19th 121:17	111:1 113:18,18	3:00 85:9	899 111:9
1:39 63:6,15	2019 10:18,23	3:20 95:24	8:00 80:22
1st 80:17 91:1	18:23 25:18	3:27 96:1	
	32:11 102:23		
	111:3,6,11,19		
	112:3,5,14		

[9 - arm]

Page 2

<b>9</b>	<b>accusing</b> 111:20	76:4 78:10,11	<b>anticipated</b>
<b>9</b> 7:21,23	<b>acs</b> 33:10,12,19	94:15	97:18
<b>9/8/2022</b> 122:3	33:25 34:9	<b>al</b> 122:2	<b>anxiety</b> 15:24
<b>900</b> 91:10 92:22	35:10 36:1,7,8	<b>alcoholic</b> 7:3	101:15,16
<b>911</b> 35:20,23	36:17,25 37:2,11	<b>alex</b> 23:20	104:11,14,15
<b>988</b> 33:7 34:24	37:14,20 40:5,7	<b>alimony</b> 10:10	105:15 106:20
35:7 39:25,25	42:3,13,23 53:22	25:22	<b>anxious</b> 104:24
41:21 44:12	74:13 75:3	<b>allegedly</b> 87:21	<b>anybody</b> 59:13
46:23 47:4	77:16 88:25	<b>allege</b> 88:9	<b>anymore</b> 116:4
54:10,13 89:15	89:3,4 105:7	<b>allowed</b> 93:11	<b>anyway</b> 69:11
<b>9901</b> 8:4	111:7,8,13,13,20	<b>amended</b> 28:8	96:17 97:21
<b>9:00</b> 81:1	<b>action</b> 10:12	28:22 45:6,12	117:16
<b>a</b>	121:13	93:10,12 114:19	<b>apart</b> 22:24
<b>a.m</b> 1:14	<b>actual</b> 111:22	114:23 115:10	<b>apartment</b> 11:16
<b>a.m.</b> 46:3	<b>added</b> 91:10	<b>amy</b> 11:6,6,7	11:25 12:3
<b>ability</b> 30:21	<b>address</b> 11:11	<b>andrew</b> 16:5,7,7	<b>appealing</b> 24:12
<b>able</b> 7:14,16	47:5,14 101:7	16:9 103:17,20	24:14,16 120:17
27:24 28:16	<b>adjourn</b> 116:13	<b>andrianzan</b> 37:6	<b>appear</b> 45:19
29:7,13,18 31:1	117:23 118:10	40:9 55:10,20	90:21
45:1 48:14,23	<b>administer</b> 3:9	62:24 74:16	<b>applied</b> 15:1
69:1,1 77:11,13	<b>administration</b>	122:2	22:20
115:13,16	12:11 33:13,14	<b>announce</b> 38:22	<b>apply</b> 106:4
117:22	33:15	38:24	<b>appointment</b>
<b>abuse</b> 21:4 32:25	<b>aforementioned</b>	<b>answer</b> 5:21,22	14:12,16 47:19
35:15 44:6,11	118:19	6:9,9 7:1 9:25	49:16 54:6
47:15,18 51:6	<b>afraid</b> 38:16	14:4 23:13	70:10
52:21 82:9,12	106:12,16,19	36:22 38:11,12	<b>appreciate</b>
<b>access</b> 77:11,13	<b>afternoon</b> 54:6	38:13,15 41:2,4	118:16
<b>accident</b> 19:8	<b>age</b> 8:14 20:9	42:15,17,19 54:1	<b>approval</b> 96:12
<b>accomplice</b>	<b>ago</b> 30:24 42:11	56:21,24 57:9	<b>approximate</b>
95:10	47:11 101:1	61:24 62:5	58:18
<b>account</b> 113:10	<b>agree</b> 6:12,14	63:11,13 67:16	<b>approximately</b>
113:12	<b>agreed</b> 3:4,15	67:19,24 74:21	51:13 58:19
<b>accurate</b> 7:10	<b>aid</b> 18:25	75:2 78:3 79:25	108:16 116:11
28:20 45:19	<b>aide</b> 12:15,15,16	80:3 110:11	<b>april</b> 112:1
<b>accurately</b> 5:9	<b>aids</b> 19:1	<b>answering</b> 118:7	<b>area</b> 81:24 83:8
	<b>air</b> 20:19 52:8	<b>answers</b> 4:10	<b>arm</b> 58:12,13
	53:7 72:11,13		60:11,12,15,16

**[arm - benefits]**

Page 3

60:18,21,25 71:19 <b>arms</b> 60:22,24 62:6 101:16 <b>arrest</b> 72:22 83:4 95:4 106:16 111:19 112:5,14 <b>arrested</b> 106:11 106:19 110:19 110:22,25 111:6 111:11,16 112:15,17 <b>arresting</b> 64:25 74:22 84:14 <b>arrive</b> 68:2,4 <b>arrived</b> 47:17 68:1 73:11,19 86:17 <b>asian</b> 94:24 <b>asked</b> 23:10 37:14,21 40:5 41:21 42:2 46:17,25 49:1,6 49:21 51:17 66:15 67:23 70:16 71:1 74:13 78:4,16 79:5 86:12,12 88:9 103:23 <b>asking</b> 4:23 15:8 21:22 37:13,13 40:1 46:5,25 52:4,22,23,25 53:22 55:3,3,21 55:23 56:2,8,12 56:15,16 57:2,5 57:6,8 66:13	67:9 70:14,15 74:15,16,20 75:3 76:11 77:16,17 77:20 78:7,13,14 78:16,20 79:13 80:25 84:9 87:14 88:3,11 90:19 93:16 101:9 110:6,13 111:12,15 113:5 113:7 114:12,13 117:23 <b>asserting</b> 110:10 <b>assignment</b> 98:25 <b>assistance</b> 22:2 <b>assistant</b> 13:15 <b>assume</b> 5:15 <b>assuming</b> 24:20 <b>asthma</b> 20:6,7 51:15,20 52:23 53:2 <b>attached</b> 45:12 <b>attend</b> 88:1 90:14,21 111:10 111:10 <b>attending</b> 10:6,7 <b>attorney</b> 4:20 23:24 27:4,7,8 32:12,14 37:15 37:20 42:3 54:22 61:21 65:1 66:15,25 69:20 70:2 72:21 74:14,23 75:1 77:17,18,21 78:1 79:7 83:4 84:15 86:20,21	87:12,14,15,17 94:1,16 95:6 109:23 110:5,7 110:12 112:11 112:12,13 113:8 114:4 <b>attorney's</b> 40:6 76:18 77:4 <b>attorneys</b> 2:3,9 30:24 56:23 91:13 95:15 99:13 110:8 113:5 114:11 115:25 <b>august</b> 10:5 <b>authority</b> 13:8 13:10 22:17 23:2,3,9 25:1 31:25 33:9 35:1 <b>authorized</b> 3:8 <b>available</b> 97:19 117:9 <b>aware</b> 99:2 113:17 <b>b</b> <b>b</b> 21:12 29:24 91:6 118:21 120:1,6 <b>back</b> 21:22 30:4 35:5 36:14 40:22,24 41:1,4 43:21,24 44:7,8 46:2 53:19 58:12,13 59:8,9 60:9,10 61:10,14 62:16 63:10,13 63:14 71:3	72:16 73:7 79:24 80:3 81:10,10 82:14 89:6,7,10,19,20 95:24 96:1 98:21 100:12,14 100:17 101:5,17 105:24 116:9 <b>background</b> 7:18 <b>badly</b> 18:24 <b>bag</b> 52:15,17,18 52:18,20,24,25 57:18 64:1 65:21 76:13,14 <b>basement</b> 83:16 84:6,24 85:10 <b>basic</b> 4:25 <b>basically</b> 56:23 74:18 104:10 <b>basis</b> 35:25 117:1 118:3 <b>bates</b> 31:5 <b>bathroom</b> 54:24 74:24 75:1 84:16 95:16 <b>bayside</b> 2:5 <b>began</b> 66:6 <b>beginning</b> 18:15 19:9,21 55:5 56:1 60:5 <b>believe</b> 68:13 <b>bell</b> 2:4 <b>belongings</b> 65:22 <b>benefits</b> 14:3,10 14:20 15:2 22:1 22:21
---	--	--	---

[best - change]

Page 4

<b>best</b> 30:20 42:16 42:22 95:19 <b>beth</b> 103:5 <b>better</b> 29:12 96:10 <b>big</b> 47:25 74:8 75:22 76:5 <b>bigger</b> 29:16 <b>birth</b> 7:20 <b>birthday</b> 7:22 77:9,9 <b>bit</b> 29:12,16 34:16 61:11 <b>bitch</b> 94:22,22 <b>bleeding</b> 81:24 <b>blood</b> 121:13 <b>body</b> 57:19 58:11 82:3,4,11 <b>bone</b> 100:1 <b>born</b> 7:25 <b>boroughs</b> 93:5 <b>boulevard</b> 2:4 <b>box</b> 30:6 <b>brain</b> 19:23 20:4 103:10 <b>break</b> 6:8,10 40:18 63:4 79:20 95:17 100:1 116:6 <b>breaks</b> 96:8,16 117:3,5 <b>breathing</b> 20:21 21:8 51:5,10,14 52:10 70:8,13,20 81:25 <b>briefly</b> 9:24 <b>bring</b> 46:25 52:1 52:3,11,22,23	53:2,9 54:25 111:20 115:22 <b>bringing</b> 113:24 <b>broadway</b> 101:8 <b>brought</b> 23:22 50:17 52:4 63:22 64:4,6,9 64:23 65:10 89:7 114:20,24 <b>build</b> 84:4 <b>business</b> 12:11 76:14,16,18 77:1 77:4	<b>car</b> 60:7,8 61:3 61:13 63:17,22 67:14 68:11 69:6 71:15,18 72:9 73:7 85:24 <b>card</b> 76:14,16,18 76:23 77:1,4 <b>care</b> 18:1 34:2 34:10 46:9,10 100:24 118:18 <b>caretaker</b> 13:11 13:12 <b>case</b> 1:5 6:5 7:19 10:17 15:17 22:24 23:12,17 23:24 24:3,6,9 24:11,16,17,19 24:25 25:5,10,14 25:17,20,22,24 25:25 27:4,10,18 27:23 28:9,21,22 30:1 31:11,24 32:2,8 33:4,4,6,8 33:9,10,25 34:8 34:18,20,24,25 35:2,7,9,25 36:15,20 37:15 37:17,19,20 39:24,25 40:2,5 41:21,21,24 42:13,24 44:13 44:15,24 45:6 46:23 47:3 50:14,18 53:22 54:2,10,13 55:21 57:5 59:18 89:15 91:6 93:10,13 94:8	95:11 99:15 110:16,17 111:8 111:8,14 112:9 113:2,5,6 115:20 120:17 122:2 <b>cases</b> 31:16,20 35:3 110:15 <b>caucasian</b> 47:25 84:3,9,13 <b>cause</b> 20:2 42:25 97:8 103:10 108:2 <b>caused</b> 19:19 23:11 103:7 104:21,23 <b>cell</b> 20:24,25 21:1,5 45:17 73:23,24 74:3 75:23 77:6,8,11 77:14,20 78:24 81:4,11 84:5,10 85:10 87:1,2,4 87:11 94:23 <b>cells</b> 82:23 <b>center</b> 12:19 <b>certification</b> 3:6 <b>certify</b> 119:3,6 121:7,12 <b>cfs</b> 33:20,21,24 33:25 34:1,3,9 <b>chair</b> 58:8,9,15 58:16,23,23,25 59:2 76:7 <b>chairs</b> 73:24 <b>chan</b> 16:3,6,7,7,9 17:7,14 <b>change</b> 122:5
	<b>c</b>		
	<b>c</b> 2:1 4:8 16:5 45:9 102:8 119:1 121:1,1 <b>call</b> 16:20 32:24 33:2 35:15,20 36:16,19 37:6 41:15 42:4,12,21 43:15,18 44:3,5 44:20,21 46:3,5 77:1 91:16 <b>called</b> 4:11 16:4 18:7,8 33:3 35:9 35:19,23 36:22 37:16 41:22 42:1 91:19 92:6 <b>calling</b> 26:9 35:6 35:13 36:15 99:16 <b>capacities</b> 1:9 2:11 <b>capparelli</b> 1:20 121:6,20		

[charge - constantly]

Page 5

<b>charge</b> 111:22 <b>charged</b> 87:20 111:18 <b>charges</b> 87:20,21 87:22,23,25 88:4 89:21,22,24 90:18 94:17 <b>check</b> 92:19 93:1 93:4 <b>checked</b> 92:1 <b>chell</b> 1:7 73:14 73:15 74:19 76:11 78:7,8 79:13 80:8,25 81:9 82:15 83:6 83:16 84:8 91:3 93:23 94:4,5,12 <b>chell's</b> 75:25 <b>chiang</b> 2:15 117:15 <b>child</b> 10:9,11,16 10:16 14:21 21:4 25:16 32:25 33:13,14 33:23 35:15 44:6,11 47:15,18 51:6 52:21 82:8 82:12 <b>child's</b> 9:4 <b>children</b> 8:20,23 <b>children's</b> 33:13 33:15 <b>chin</b> 18:1 <b>china</b> 8:1 <b>chinese</b> 7:13 77:8 94:22 <b>chink</b> 57:10 68:12 94:22	<b>chink's</b> 77:8 <b>chitchat</b> 68:20 <b>chore</b> 44:2 <b>chores</b> 43:10 <b>christopher</b> 1:9 91:5 <b>chung</b> 18:7,8 103:17,17,20,20 <b>church</b> 2:11 <b>circuit</b> 24:13 <b>city</b> 1:6 2:8,9 4:20,21 11:14 13:8,9 24:25 25:4 30:24 32:20 34:25 91:13,13 93:5 94:1,2 105:1,4,7 107:15 <b>civil</b> 1:19 22:25 25:7 31:12 <b>claim</b> 14:8,12,16 24:3 32:19 109:20 114:20 114:24 115:2,22 <b>claimed</b> 14:3,5 24:5,8 <b>claiming</b> 15:4,8 15:9,12,16 23:8 23:11,16 91:14 92:6,13 94:7 95:12 100:7,9 101:17,19,22 102:2 109:8,11 <b>claims</b> 34:18 99:7,10 <b>clarify</b> 20:1 103:24	<b>clear</b> 5:1 15:16 22:15 29:15 <b>clearly</b> 5:7 29:18 45:3 <b>client</b> 97:2 116:15 117:7 118:4,7 <b>close</b> 66:14 78:23 103:11 <b>closed</b> 48:4 52:9 52:12 53:6,12,15 53:17 78:22 <b>cold</b> 69:15 72:11 72:11,13 <b>colleague</b> 27:10 27:13 92:9 <b>colleagues</b> 23:18 <b>college</b> 12:7 <b>color</b> 48:1 81:18 81:21 <b>come</b> 37:1,2,18 40:21 44:18 46:10 50:20,23 51:1 59:13,21 75:11 95:24 97:2,2 <b>comes</b> 62:24 <b>coming</b> 20:19 64:2,12,14 <b>comment</b> 57:12 68:25 <b>commission</b> 122:25 <b>committed</b> 94:18 <b>committing</b> 88:9 <b>communicate</b> 98:15	<b>company</b> 105:6 <b>compensated</b> 32:19 <b>complain</b> 21:8 <b>complained</b> 21:7 <b>complaint</b> 21:14 21:20 28:2,8,21 28:22 44:24 45:6,12 93:10,12 93:15,18,24 94:3 114:19,23 115:10,19,23 120:5 <b>complaints</b> 20:20 72:18 80:5,7,8,10 <b>completely</b> 5:20 5:21 49:22 67:3 79:6 <b>complies</b> 28:15 29:23 30:22 <b>conclude</b> 10:14 <b>concluded</b> 118:24 <b>conclusion</b> 10:17 <b>conditions</b> 6:18 6:21 104:6,12,19 104:22 107:6,13 <b>confirm</b> 19:16 <b>connected</b> 24:19 <b>consent</b> 96:5,23 97:5,11,14,22 98:14 116:12,19 <b>consented</b> 97:12 <b>consenting</b> 98:8 <b>consider</b> 113:24 <b>constantly</b> 15:15 106:22,24 108:4
--	--	---	--

[constantly - department]

Page 6

108:4 <b>constraint</b> 97:24 <b>consumed</b> 7:3 <b>contact</b> 10:3 35:12 91:21 <b>continue</b> 18:19 18:21 96:3 108:25 116:13 116:19 <b>continuing</b> 97:6 118:12 <b>continuously</b> 106:10 <b>control</b> 2:13 <b>conversation</b> 45:20,23 54:15 55:24 58:2 59:14 75:6 <b>conversations</b> 39:8 110:6 113:8 114:13 <b>copies</b> 76:15 <b>copy</b> 3:10,13 76:24,24 77:5 93:18 <b>corporation</b> 2:8 <b>correct</b> 22:7,11 31:7,19 35:7 37:17 38:21 40:15 41:7 52:12 56:25 59:5 63:1 83:11 91:6 107:18 112:18 114:21 119:7 <b>counsel</b> 2:8 3:5 3:13 11:13 24:17,18 96:2,14	97:22 120:8 <b>counseling</b> 107:14 <b>counselor</b> 107:14,17,20 <b>counter</b> 6:25 <b>county</b> 86:17 93:2 121:3 <b>couple</b> 10:21,22 19:10 43:24 58:18 76:1 116:3 <b>course</b> 81:20 86:11 99:1 <b>court</b> 1:1,18 3:10 4:4 5:4,8,21 10:6,7,10,12,17 10:19 20:14 23:22,23 24:13 25:11,12,13,14 25:20,24,25 26:21 34:20,21 54:2 80:18 85:6 85:22,23,25 86:7 86:18,20 87:1,13 87:18 88:1,3,11 88:15 89:19 90:3,5,6,12,21 90:21 92:18,18 93:20 96:12,15 97:1,3,3 109:23 110:1 117:2,15 <b>courtroom</b> 6:4,5 86:24 <b>crime</b> 88:8 <b>crimes</b> 88:10 <b>criminal</b> 20:14 31:16,20 80:17	85:6,22,23,25 86:7,18 90:5,6 92:18 109:23 110:1 111:22 <b>crowded</b> 106:13 <b>crying</b> 34:3 <b>cure</b> 102:17 <b>current</b> 11:11 <b>currently</b> 13:3 <b>custody</b> 25:15 88:14 112:4 <b>cv</b> 1:5 33:7 34:24 35:7 39:25,25 44:12 46:23 47:4 54:10,13 89:15 111:9 <b>d</b> <b>d</b> 3:1 37:10,10 119:1 120:11 <b>damage</b> 15:13 <b>damages</b> 15:4,8 114:5 <b>dangerous</b> 102:18 <b>danielle</b> 1:6 2:9 4:21 <b>dark</b> 80:23 <b>date</b> 1:13,20 7:20 11:25 19:7 30:16 31:1 36:4 38:2,3 96:7,7 106:3 118:21 122:3 <b>day</b> 8:10 12:1 38:6 43:4,7 49:15 51:23 53:3 80:14,16,21	82:5,11 86:11,12 88:15,19 95:20 95:21 96:3,4,23 96:25 97:1,4,6 97:14,21,23 98:1 98:12,16 111:4,9 116:13,19 118:17 119:16 121:17 122:22 <b>days</b> 3:12 18:17 32:23 38:9 <b>deangelis</b> 27:13 27:15 31:6 92:10 <b>deangelo</b> 27:5 <b>december</b> 30:17 36:5,8,11 <b>declaration</b> 30:1 <b>deep</b> 81:17 <b>defendant</b> 21:12 25:7 50:18 86:3 91:6 <b>defendant's</b> 30:2 31:5 118:20 120:2 <b>defendants</b> 1:10 1:18 2:9 4:21 21:11 50:14 59:17 <b>defender</b> 86:22 <b>definitely</b> 98:11 <b>degree</b> 12:10 <b>denezzo</b> 1:7 <b>denied</b> 15:1 <b>deny</b> 95:15 <b>depaola</b> 2:3 <b>department</b> 2:8 94:2
--	--	---	---



[deposition - door]

Page 7

<b>deposition</b> 1:17 3:6,7,11 4:2,25 5:8 6:1 27:21 31:22 32:1 96:3 96:6 97:9,18 98:9,10 114:12 114:17 117:8 118:12 122:3	47:20 48:8,9 49:21 50:2,5,21 50:24 51:18 53:19 55:9,19 56:19 57:9,21 58:5,22 59:16,20 60:3,12 62:20,23 64:15 65:6 67:9 67:12 69:3 72:16,24 73:4 74:16 75:21 88:25 89:4,6,7 89:10 90:23 94:20,25 95:1	51:10 70:20 81:25 <b>digits</b> 8:2 <b>directly</b> 55:6 <b>discriminated</b> 22:14 23:16 <b>discrimination</b> 23:15 94:24 <b>discuss</b> 53:20 <b>discussed</b> 92:14 99:4 107:7 108:8,11,13,20 109:20 114:9 <b>discussing</b> 42:13 <b>discussion</b> 27:20 <b>dismiss</b> 89:21 <b>dismissed</b> 88:2,2 89:22,25 90:19 111:24,25 <b>dispute</b> 10:20 <b>distancing</b> 4:3 <b>district</b> 1:1,1 23:23 34:22 <b>dizziness</b> 18:17 18:21 19:25 101:19 102:15 102:20 103:8 107:3 <b>dizzy</b> 18:18,19 19:9,11 <b>docket</b> 27:18,22 29:25 45:6 <b>doctor</b> 15:25 16:1,4,6 17:12 17:18,22,23 18:3 18:6,7,7,9,12,18 18:18 35:10,12 49:16 51:15	54:5,22 61:22 67:1 69:21 70:2 70:7,10,16 71:1 75:1 79:7 83:5 84:15 94:10,16 95:14 102:17 103:7,14,25 104:13,21 105:2 105:12 108:6 109:22 112:23 <b>doctor's</b> 17:24 18:4 49:15 54:6 74:23 <b>doctors</b> 17:20 18:9,11,14,19 19:19 103:19 <b>document</b> 27:17 27:18,22,24 28:1 28:7,10,25 29:5 29:7,9,25 30:4,9 30:11,23,25 31:6 31:10 45:3,5,11 115:13,16 120:6 <b>documents</b> 113:1,4 114:16 118:19 <b>doing</b> 43:10,24 57:24 60:24 62:3,9 76:21 107:15 <b>domestic</b> 10:1 <b>door</b> 37:25 38:8 38:10,14,15,24 39:23 41:10 48:5,17,19,20,25 61:4 74:5,9 75:12 78:20
<b>depressed</b> 104:24 <b>depression</b> 15:24 104:14,18 105:15 106:25 <b>dermatologist</b> 17:15,16 102:10 <b>describe</b> 15:23 20:13 27:3 45:14 47:24 61:11 83:24 84:1 <b>described</b> 107:6 <b>describing</b> 49:3 75:7 <b>description</b> 120:4 <b>deserve</b> 23:15 <b>detail</b> 15:23 27:3 68:22 <b>details</b> 7:19 <b>detain</b> 68:13 69:2 <b>detaining</b> 57:11 <b>detective</b> 1:6,7 2:9 4:21 21:14 38:20,23 39:3,16 40:10,13,14 41:6 41:9,16 44:3,10 45:20,24 46:14	<b>detectives</b> 53:21 89:2 <b>diagnose</b> 17:12 <b>diagnosed</b> 18:24 19:21 20:2 104:11,13 <b>diary</b> 113:7 <b>diego</b> 37:6,11 40:9 55:19 56:19 57:10 59:15 62:23 67:15 70:24 74:16 89:9 122:2 <b>diego's</b> 37:8 <b>different</b> 8:5 22:23 23:20 33:9 78:13,17 80:19 87:15 94:20 96:23 107:1 <b>difficulties</b> 15:22 <b>difficulty</b> 15:19 20:21 21:8 51:5		

[doors - eyesight]

Page 8

<b>doors</b> 38:1,7,10 39:5,11,14,17,20 <b>downstairs</b> 81:10 82:17 83:10,21,22 <b>downtown</b> 103:6 <b>dr</b> 16:6 17:7,14 17:17 <b>drag</b> 58:7,9,11 58:22 60:6,8,9 60:11,19 61:14 61:15 66:6 71:21 <b>dragged</b> 58:14 58:22 59:4 60:22 61:10 63:17 65:13,15 65:19 66:2 95:11 <b>dragging</b> 60:15 61:25 62:7,9 95:13 <b>dreaming</b> 106:11 <b>drink</b> 49:14 54:23 79:7 84:16 <b>drinks</b> 7:3 <b>dropping</b> 43:21 44:1 <b>drug</b> 16:14,14 <b>drugs</b> 7:6 112:22 112:23 <b>due</b> 4:1 19:22 20:3 100:18 102:20 <b>duly</b> 4:12 119:3 121:9	<b>e</b> <b>e</b> 2:1,1 3:1,1 4:11 17:17,17 21:12 24:2 32:18 37:10 91:6 102:8,8 113:7 119:1 120:1,11 121:1,1 <b>ear</b> 18:6,11 <b>earlier</b> 25:18 33:5,8 35:1 36:1 49:3 51:3,3 55:7 56:15 65:13 68:14 69:4 70:9 72:8 74:17 75:23 79:17 82:8,11 85:3 87:15 93:2 96:2 103:16 105:14 109:8 114:20,24 <b>east</b> 101:8 <b>eat</b> 84:15 <b>echo</b> 53:21 <b>economic</b> 15:4,8 <b>education</b> 12:6 <b>effect</b> 3:9,11 26:16,22 <b>effective</b> 26:18 26:19,21 <b>efforts</b> 93:17,24 <b>eight</b> 11:22 88:1 89:19,20 90:2,15 90:15 <b>eighth</b> 90:8,16 <b>either</b> 25:24 46:6 64:19 67:8 101:24 103:18 112:1 117:11	<b>elaborate</b> 92:7 <b>electronically</b> 118:20 <b>emergency</b> 102:19 103:3 105:11,12 <b>emotional</b> 24:8 <b>employed</b> 13:3,5 <b>employee</b> 23:14 37:11 <b>employer</b> 23:1 <b>ended</b> 25:18,18 <b>english</b> 4:9,10 7:14,16 55:4,6 55:14 65:2 79:10 <b>enlarge</b> 28:14 <b>ent</b> 18:6,7,12,19 <b>entail</b> 68:21 <b>enter</b> 75:12,17 78:14 88:4 <b>entity</b> 13:17,18 <b>erlene</b> 1:8 2:10 59:17 <b>errata</b> 122:1 <b>especially</b> 100:11 <b>esq</b> 2:5,12 <b>estimate</b> 110:7 <b>et</b> 122:2 <b>evaluate</b> 98:4 <b>evening</b> 36:16 38:6 40:3 88:22 <b>everyday</b> 16:17 16:18,22 <b>evidence</b> 109:16 <b>exact</b> 101:7 106:2	<b>exactly</b> 14:18 15:12 18:1 20:13 24:4 41:14,18 42:6,11 44:22 50:1,11 58:10 63:20 <b>examination</b> 4:15 118:23 120:12 121:8,10 <b>examined</b> 4:13 <b>excessive</b> 114:20 114:24 115:2,5,7 115:22 <b>exh</b> 120:5,6 <b>exhibit</b> 27:21 29:24 30:1 45:9 46:12 115:10 120:3,3 <b>exhibits</b> 118:21 120:2,8 <b>exist</b> 113:18 <b>expense</b> 110:5 <b>expenses</b> 109:25 <b>experienced</b> 20:4 <b>experiencing</b> 19:25 82:1 <b>expired</b> 14:6 26:24 <b>expires</b> 122:25 <b>explain</b> 4:25 44:16 46:21 47:1 59:11 <b>explaining</b> 65:13 <b>extremities</b> 100:10 <b>eyesight</b> 10:25
--	---	---	---

[f - frank]

Page 9

<b>f</b>	49:21 50:2,5,21	<b>filed</b> 30:2 36:6	<b>fong</b> 18:6
<b>f</b> 3:1 21:12 121:1	50:24 51:18	36:12	<b>food</b> 86:12,15
<b>fabricate</b> 91:9	53:19,21 55:10	<b>filing</b> 3:6	<b>force</b> 3:11 71:13
<b>fabricated</b> 91:15	55:19 56:19	<b>find</b> 15:14 36:14	114:20,24 115:2
<b>fact</b> 4:7 92:19,20	57:9,21 58:5,22	36:19 39:22	115:5,7,22
<b>facts</b> 99:7,10	59:21 60:3,12	67:20,22,25	<b>foregoing</b> 119:6
<b>fade</b> 81:20	62:20,23 64:17	76:14,18 89:4	<b>forgot</b> 47:11
<b>fair</b> 28:20 45:19	65:6 67:9,13	98:4 105:9	110:4
<b>fake</b> 91:16	69:3 71:7,10	109:22	<b>form</b> 3:16
<b>falling</b> 62:12,14	72:16,24 73:4	<b>finding</b> 15:19	<b>formal</b> 45:22
<b>family</b> 14:22	74:16 75:14,21	114:4	<b>former</b> 23:1
18:18 25:12,13	76:13 78:7 89:1	<b>fine</b> 52:9	<b>forth</b> 98:21
25:14,20,24,25	89:2,3,4,6,7,10	<b>fingerprinted</b>	121:9
26:21 33:22	90:23 94:20,25	85:19	<b>forward</b> 104:3
92:17 109:5	95:1	<b>fingerprints</b>	<b>forwarded</b> 93:6
113:14	<b>federal</b> 1:19	85:15	<b>found</b> 27:2 68:8
<b>far</b> 58:15,20	46:23	<b>finish</b> 5:19,20	89:8 91:23
66:8,13	<b>feel</b> 18:16,17,19	95:21 96:11	112:12 117:12
<b>father</b> 9:8,12,16	18:21 19:6,9,11	97:22 98:6	<b>four</b> 8:2 17:19
34:3,13 111:21	62:12 64:25	116:15,18 118:5	83:12,17 85:4,7
<b>father's</b> 9:22	65:1 104:25	<b>finished</b> 78:20	85:13 87:3,10
<b>february</b> 18:23	106:14,17,23	80:25 117:8	<b>frank</b> 2:12 4:16
31:3 32:11,11	107:2,2,3,3,22	<b>first</b> 4:12 5:2 6:9	4:19 9:15 11:13
80:17 88:4,12,22	<b>feeling</b> 70:17	9:3,4 20:7 21:24	15:7 21:22
88:24 89:8	104:24	40:11,14 70:24	24:20,22,24
90:22 91:1,9	<b>feet</b> 58:18,19,19	78:6 113:24	28:15 29:3,24
99:3 103:13	58:21 61:5,6,7,8	119:3	31:9 40:19,21,24
110:21,24 112:1	61:16	<b>five</b> 38:7,9 42:7	46:11 63:3,7,10
113:18	<b>fell</b> 59:2	42:8,9 58:19,21	63:14 79:20,24
<b>febus</b> 1:6 2:9	<b>felt</b> 62:14	66:21 79:19,20	90:17 95:17,23
4:21 21:11,15	<b>female</b> 21:18	80:4,10 83:1	96:1,14,20 97:5
37:25 38:20,23	37:6,11 50:10	85:7 87:20,21,22	97:15,20 98:2,11
39:4,16 40:10,13	59:16	89:21,22 93:5	98:17,22 99:1
40:13,14 41:6,9	<b>females</b> 50:12	95:18,23 96:19	103:24 104:2
41:17 43:15	<b>figure</b> 77:23	<b>floor</b> 75:25	110:10,13,16
44:4,10 45:15,21	98:18	<b>following</b> 4:9	115:3,6 116:1,7
45:25 46:14	<b>file</b> 2:13 42:3,23	<b>follows</b> 4:14	116:9,17,22
47:20 48:8,9	113:4,5		117:1,4,11,15,21

[frank - hard]

Page 10

118:3,10,15 120:13 <b>friends</b> 113:14 <b>full</b> 5:22,22 7:9 96:21 <b>fully</b> 6:15 <b>further</b> 3:15 119:6 121:12 <b>fy2000</b> 2:10 <b>fy20000</b> 1:7,7	73:23 74:6,7,8 75:12 76:4,5 <b>glasses</b> 11:2 <b>go</b> 10:19 12:8 15:25 17:22 18:14 28:12 43:21 44:9,18 45:7,10 49:14 51:15 53:8 54:6 61:13,21 67:1 70:2 74:3,4,23 86:20 88:17,19 89:19,20 90:12 90:20 94:16 98:17 99:23 100:13,16,19,24 103:3 105:1 107:3 109:22,23 115:15 116:2,3 116:10 <b>goes</b> 6:5 99:15 <b>going</b> 4:25 7:18 27:17,23 28:12 29:3,5 30:4 32:22 35:5,8 36:14 44:23 45:5,7,10 46:11 52:12 53:19 54:22 57:7 62:16 71:3 72:16 73:7 79:14 82:14 96:16 97:7,14,16 97:21 98:3,5,6 98:12 100:20 104:3 105:10,11 105:11 106:14 106:16 109:25	115:9,15 116:2 <b>good</b> 4:19 23:14 34:2 63:3,4 98:23 <b>gotten</b> 96:20 <b>government's</b> 4:3 <b>gradually</b> 18:16 <b>graduate</b> 12:7 12:10 <b>ground</b> 61:6,7,9 61:17 <b>guidelines</b> 4:25 6:12 <b>guilty</b> 88:6,6,13 <b>guys</b> 34:4	<b>handcuffs</b> 48:12 54:18 59:11,21 60:4 62:18,21 63:21 64:20,23 65:10 66:12,23 71:25 72:4,17 75:9,11,14 81:13 81:15 82:16 85:11,17 <b>handed</b> 76:13 83:22 84:8 <b>hands</b> 59:8,9 <b>happen</b> 59:20 65:15,19 66:3 94:13 102:18,22 <b>happened</b> 20:13 23:11 34:11,15 36:18 37:12,23 38:4,11,12 39:15 47:17 57:15 58:16,25 59:7 63:19,21 64:9 73:11 76:12 77:5,24 78:8 81:7,8 82:16 85:5 86:17 87:10,17,19 90:9 90:11,20 91:11 91:18 92:1 102:19,25 103:11 <b>happening</b> 17:10 61:20 63:24 <b>harass</b> 26:10,11 91:17 <b>hard</b> 34:4 70:8 70:13 102:17 115:8
<b>g</b>		<b>h</b>	
<b>g</b> 4:8,11 12:9 18:8 <b>gained</b> 8:12 <b>gang</b> 9:23 10:3 25:11 30:15 34:7,8 91:17,19 91:24 92:2,6,15 92:16,24 93:3 <b>gary</b> 1:7 <b>general</b> 30:8 110:13 <b>generally</b> 16:21 17:2 52:4,14 53:9 <b>generate</b> 35:22 <b>george</b> 1:7 <b>getting</b> 109:10 <b>give</b> 5:2 7:9 29:5 29:16,21 44:24 115:4 <b>given</b> 7:22 86:13 96:3 97:20,23 117:21 119:7 121:10 <b>glass</b> 20:16,17 20:19 51:4		<b>h</b> 4:8,8 16:5 17:17 32:4 102:8,8 111:10 120:1 <b>hair</b> 17:9 48:1 101:23 102:4,12 102:13 108:25 <b>half</b> 54:16,16 56:7 57:3,4 63:7 63:18,23,24 75:8 <b>hand</b> 60:14,19 73:13 83:20 121:16 <b>handcuff</b> 59:24 71:20 73:2,2 75:17 81:9 94:15 <b>handcuffed</b> 60:1 60:14,19 62:25 63:16 64:4,6,10	

[harder - informed]

Page 11

<b>harder</b> 51:14 <b>head</b> 5:4 57:19 57:20,24 58:5 59:5 71:10,12,13 71:18,19 72:6,7 72:13,16,24 73:3 94:14,19,21 100:11,13,17 <b>headache</b> 82:3 <b>headed</b> 85:22 <b>headphone</b> 19:2 <b>headphones</b> 19:4 <b>health</b> 104:6,8 104:12,19,22 107:6,13 109:5 <b>hear</b> 39:19 106:11 <b>heard</b> 5:16 48:18 <b>hearing</b> 17:23 18:5,10,11,14,16 18:17,20,20,22 18:23,24,25 19:1 19:7,9,12,14,17 19:19,20,23,24 20:2 32:4 101:20 111:10 <b>height</b> 8:8,10,13 <b>held</b> 1:19 21:1 27:20 <b>help</b> 5:1 60:3 102:14 105:18 <b>helped</b> 102:13 <b>hereinbefore</b> 119:8 121:9 <b>hereunto</b> 121:16 <b>highest</b> 12:6 <b>highlight</b> 29:11	<b>highlighted</b> 29:14 30:5,19 31:2 <b>hinds</b> 2:7 <b>hire</b> 112:9 <b>history</b> 109:5 <b>hit</b> 34:5,6 <b>hold</b> 52:18 60:18 60:19 <b>holding</b> 20:24 60:10,13,14,24 60:25 69:10 <b>home</b> 37:12 38:13,17 43:20 43:22,25 44:2,9 44:9 46:2,17 47:1,2,8 53:8 88:17,19 89:7 107:15 <b>hon</b> 2:7 <b>hope</b> 118:17 <b>hospital</b> 35:24 99:24 103:3,6 <b>hotline</b> 32:25 35:16 <b>hour</b> 54:16,16,17 56:7 57:3,3,4 63:7,18,23,24 68:6,8 73:8 75:8 96:18 98:13 117:6,23 <b>hourly</b> 108:21 <b>hours</b> 6:25 7:4,6 19:10 21:6 36:16 38:7,9 43:24 49:8 50:6 51:10 55:8,9,13 79:2,4,17 81:5,7	81:12,21 82:15 83:12,14,17 85:4 85:13 87:3,10 91:10 92:22 96:7,9,12,16,19 96:21,24 97:13 97:25 116:11 117:2,3,5 <b>house</b> 37:16 40:9 43:10 44:2 <b>housing</b> 13:8,9 22:17 23:1,3,9 25:1 31:25 33:9 35:1 <b>huachen</b> 102:8 <b>hurt</b> 72:14 73:3 <b>hurting</b> 72:6,23 82:4,11 <b>hurts</b> 71:19,19 71:20,21 82:3	<b>improper</b> 53:17 <b>improved</b> 105:17 <b>inaccurate</b> 29:1 <b>incarcerated</b> 112:20 <b>incident</b> 4:24 8:11,21,24 15:17 15:20 21:23 31:11 32:22 35:21 36:3,10,11 99:3,13,19,25 100:8 102:22 103:1,13 104:9 104:23 105:10 105:22,23 106:9 106:23 107:22 108:5 109:9,13 109:17,21 113:1 113:15,19,22 114:1,6,8 <b>include</b> 8:2 <b>including</b> 7:7 31:16,19 96:7,15 117:3,5 <b>income</b> 14:19,24 15:9 23:10,12 109:9,11,17 <b>indicate</b> 80:7 <b>indicated</b> 46:15 <b>individual</b> 1:9 2:10 73:23 <b>information</b> 33:4 40:5 92:8 93:7 105:8 118:8 <b>informed</b> 27:8
		<b>i</b>	
		<b>identification</b> 118:21 <b>ignore</b> 54:4,8,24 57:1 67:3 72:3 79:6,15 84:20 <b>ignored</b> 21:18 49:22 56:25 92:20 <b>ignoring</b> 21:16 <b>illness</b> 107:3 <b>immediately</b> 64:5 <b>immigration</b> 55:22 <b>important</b> 114:8	



[inhaler - know]

Page 12

inhaler 51:19,24 52:1,4 53:9,16	55:5,7,11,16,16 55:18,24 56:1,2 56:5,8,10,11,13 56:16 59:15 63:6,8 68:3 69:23,25 75:5 79:12,15,22 85:20 90:14 95:22 97:17 98:12,19,23 104:16 110:23 114:22 115:1,5,7 115:11 116:6,21 116:23 117:9,12 117:17,20,22	j	k
<b>initials</b> 9:4 <b>initiate</b> 10:12 93:11 <b>initiated</b> 53:22 <b>injured</b> 35:22 36:4 <b>injuries</b> 24:3,5,9 100:7,9 101:13 102:2 <b>injury</b> 17:22,24 18:2,15 37:13 102:5 <b>inquire</b> 35:8 <b>inside</b> 21:1 48:15 65:23 <b>insists</b> 46:19 <b>inspector</b> 1:7 73:14,15 74:19 76:11 78:8 79:12 80:25 82:15 83:16 84:8 91:3 93:23 94:4,12 <b>insurance</b> 22:4 105:1,3,4,6,8,12 105:24 106:1 <b>interactions</b> 90:23 91:1 <b>interested</b> 121:14 <b>interfere</b> 6:19,22 <b>interpreter</b> 2:15 4:8,12 8:22 19:15 40:18,20 49:11 50:22 53:14 54:11	<b>interrupt</b> 103:22 <b>invade</b> 94:6 <b>invaded</b> 94:7 <b>investigate</b> 44:15 46:23 <b>investigating</b> 47:3 <b>investigation</b> 20:25 44:13 76:2 <b>involved</b> 25:10 113:2 <b>involving</b> 36:1 <b>irwin</b> 1:8 <b>israel</b> 103:5 <b>issue</b> 17:11 92:20 <b>issued</b> 26:1,12 30:14 <b>issues</b> 19:14,16 19:22 20:3 104:6	<b>j</b> 12:9 <b>jail</b> 87:1 <b>james</b> 32:15 <b>january</b> 4:24 8:11,14,21,24 9:6,13 11:23 19:12,17 26:17 32:23,24 35:5,22 36:14 38:3,4,5 40:3,8 41:10,14 41:16,20 43:4 52:21 80:16,22 99:3,19,20 100:14 101:24 103:13 104:5 107:10 110:19 111:5,6,11,19 112:5,14 113:18 <b>jeffrey</b> 2:12 4:19 18:1 <b>jgk</b> 1:5 <b>joanne</b> 1:20 121:6,20 <b>job</b> 22:8,10,13 <b>jobs</b> 15:14,19 109:10 <b>jogging</b> 12:25 <b>john</b> 1:7 12:9 16:3 73:14,15 75:25 78:7 81:9 91:3 93:23 94:5 103:17,20 <b>judge</b> 3:10 90:4 90:5,8 <b>july</b> 30:3 <b>june</b> 14:8	<b>k</b> 18:5 24:2 <b>keep</b> 5:7 26:9 52:14 53:21 54:22 55:21 56:2 69:20 77:16,17 79:5 97:15 100:22 102:12 118:12 <b>kept</b> 17:9 20:14 57:5 <b>keys</b> 52:19 <b>khp</b> 1:5 <b>kick</b> 96:22 <b>kid's</b> 10:9 <b>kind</b> 12:20 13:16 16:6 22:2 31:19 52:15,17 53:12 53:15 62:11 76:3 92:16 102:18 104:15 106:8 112:22 115:8 <b>kinds</b> 15:22 18:9 <b>kings</b> 80:17 86:6 86:17 90:6 <b>knew</b> 52:11 <b>knock</b> 38:7,23 39:17 103:10 <b>knocked</b> 37:25 38:8,14,15 41:10 <b>knocking</b> 39:4 39:11,14,20,22 <b>know</b> 5:12 6:2,9 9:10,11,12 17:10 17:25 18:1 20:25 21:3,10 24:5,8 25:25



[know - lunch]

Page 13

26:24 27:11 34:6 37:19 39:13 40:1 41:19 47:23 48:9 50:16 53:6 56:5 59:2 61:13 64:11 66:20 68:12 76:16 77:1,3,13 80:14 80:20 82:25 83:22,23 86:1,2 86:3,5 87:23 88:23 89:24 91:17,23,25 92:2 92:4,5,8,15,18 92:23,24 93:6,8 93:16,21,22,23 94:1,5 95:5 97:17 99:9 102:24 103:1,16 105:3,22 106:2 106:18,23 111:22,25 113:14,20 115:11 117:11 117:12,16,18,20 118:16 <b>knowledge</b> 99:6 99:9 <b>known</b> 11:4 <b>koppell</b> 24:2,2	<b>l.l.</b> 9:5 <b>lacking</b> 19:23 20:5 <b>language</b> 7:12 <b>large</b> 86:19,24 <b>lasted</b> 42:5 <b>lastly</b> 6:8 <b>law</b> 2:8 <b>lawsuit</b> 15:5,10 22:25 23:6,8,22 25:8 31:12 33:18 36:6,12 42:3 46:24 56:22 67:10 75:4 94:4 95:1,9 101:18 113:1,25 <b>lawsuits</b> 25:1 <b>lawyer</b> 112:9 <b>leading</b> 32:23 <b>league</b> 117:19 <b>learned</b> 26:6,7 91:12 <b>leave</b> 54:20 55:17 56:9,12,15 56:17 75:21 116:14,17 <b>lee</b> 34:8 91:19,24 92:2,6,15,25 93:3 <b>left</b> 10:5 55:18 56:2,6 57:4,16 57:17 60:20,25 75:18 117:6,24 <b>legs</b> 62:6,10 100:12,14,17 101:5,17 <b>length</b> 96:4	<b>letter</b> 120:4 <b>level</b> 12:6 <b>life</b> 12:22 <b>lift</b> 61:17 <b>line</b> 35:18 120:16 122:5 <b>list</b> 100:8 <b>listen</b> 42:20 58:1 <b>little</b> 29:12,16 34:16 78:11 97:13 <b>liu</b> 9:23 10:4 25:11 30:15 34:8 91:17,19,24 92:2,6,16,16,25 93:3 <b>live</b> 11:18,21 <b>lived</b> 11:16,20 12:3 <b>living</b> 9:6,8,10 11:23 <b>llc</b> 122:1 <b>llp</b> 2:3 <b>local</b> 36:25 <b>lock</b> 48:16,17,18 48:19 <b>locked</b> 20:5 48:15,20 <b>lockup</b> 114:3 <b>long</b> 9:19 11:16 11:21 13:12,21 15:19 17:2,18 20:5,15 21:5 22:5 26:14 30:24 36:9 42:4 47:11 49:7 53:18 54:15 56:5 59:20,23	63:16 65:9 68:2 68:4 69:5 75:3,6 78:11 79:1 83:8 83:19 87:2 94:11 95:20 97:18 98:5,7 101:11 102:24 103:1 105:15,22 112:7 118:17 <b>longer</b> 97:9 105:13 <b>look</b> 28:20 29:21 38:17,19,19 <b>looked</b> 38:20 50:10 <b>looking</b> 30:11,18 47:19 76:16,19 <b>loosen</b> 71:25 72:4 <b>lose</b> 22:13 23:12 <b>losing</b> 17:9 19:6 19:11 <b>loss</b> 19:20 20:2 20:12 101:23 102:4,12,13 108:25 <b>lost</b> 15:9 18:16 18:16,20,21,24 19:9 22:8,10 23:10 101:19 109:9,11,16,20 <b>lot</b> 20:19 40:7 42:25,25 53:7,23 76:4 <b>loud</b> 49:19 <b>loudly</b> 49:19 <b>lunch</b> 63:4 96:18
<b>l</b>			
<b>l</b> 3:1,1 9:6,23 11:18 24:2,2 34:7 91:6 119:1 <b>l's</b> 9:8			

[luperon - necessary]

Page 14

<b>luperon</b> 1:8	61:11 64:16	<b>mention</b> 114:9	<b>morning</b> 4:19
<b>m</b>	66:10 73:17	<b>mentioned</b> 25:10	80:17 85:7,9
<b>m</b> 4:11 32:18	74:6 83:10	51:9 96:2	88:12 103:23
<b>mail</b> 13:20 113:7	86:21 94:5,5	107:12	109:8
<b>making</b> 55:14	108:23 110:12	<b>message</b> 43:19	<b>mother</b> 11:20,21
56:17 83:6	114:3 115:5,12	44:19 45:15,22	12:4
<b>male</b> 47:20,22	<b>meaning</b> 15:9	45:24 46:4,8,13	<b>motion</b> 30:2
48:3,17 49:2,18	110:14 117:5	<b>messenger</b> 13:19	<b>motrin</b> 17:9
50:9,11,11,16	<b>means</b> 97:1	<b>met</b> 87:16,16	102:12
51:8 55:13 84:9	<b>meant</b> 62:8	91:25 92:2	<b>mount</b> 103:5
84:12 86:6,9	113:3	114:14	<b>move</b> 7:18
<b>man</b> 47:25	<b>media</b> 113:7,10	<b>middle</b> 11:8 34:4	<b>moving</b> 22:23
<b>mandarin</b> 4:8,10	113:12	37:24 40:12	62:6
4:10	<b>medicaid</b> 22:4,5	41:5 61:1,2	<b>n</b>
<b>manhattan</b>	22:9 105:6	<b>midtown</b> 12:19	<b>n</b> 2:1 3:1 4:8,11
25:13,20,25	106:6	<b>military</b> 13:1	4:11 12:9 16:5
26:21 93:4	<b>medical</b> 12:19	<b>minute</b> 79:20	17:17 32:18
<b>march</b> 105:2	22:4	<b>minutes</b> 40:19	37:10 102:8
<b>marijuana</b> 7:7	<b>medication</b> 6:24	42:7,8,9,10	119:1 120:11
<b>mark</b> 24:24	6:25 16:10,19	48:18 65:11,12	<b>name</b> 4:17,19,19
27:21 29:24	17:5 52:23	68:5,5,7 69:7,7	9:4,22 11:4,8
81:17	105:16,18,19,20	73:8 75:7 76:12	16:1,13 17:16,24
<b>marked</b> 44:23	<b>medications</b>	95:18,23 96:17	18:1,2,4 32:16
115:9 118:20	16:15 17:3,6,7	116:2,3,7	37:7,8 38:22
120:15	<b>medicine</b> 52:22	<b>mobile</b> 41:12	40:6 47:23 86:2
<b>marks</b> 81:16	53:2	<b>moment</b> 21:23	91:8 94:4,25
<b>marriage</b> 121:13	<b>medium</b> 84:4	29:6,17,21 30:19	95:8 101:6,9,11
<b>married</b> 8:16,18	<b>meet</b> 50:20,23	44:24 105:16	103:15 112:11
<b>martial</b> 93:19,20	114:11	115:4	112:13 122:2,3
<b>matter</b> 24:19	<b>meeting</b> 34:4	<b>money</b> 109:20	<b>named</b> 40:8
121:15	<b>mental</b> 6:21	<b>month</b> 14:14	50:13,17 91:5
<b>mayerson</b> 32:15	17:11 19:22	16:3 17:4,5	<b>names</b> 23:19
<b>mean</b> 10:8,16	20:3 104:6,8,12	18:16 103:20	37:5
12:21 14:12,13	104:19,22 107:5	111:4	<b>native</b> 7:12
16:7 20:17	107:13 109:5	<b>months</b> 10:21,22	<b>nearby</b> 69:9
21:12 22:6	<b>mentally</b> 15:13	103:2 105:23	<b>necessary</b>
31:17,17 52:2	92:16	<b>mood</b> 103:10	116:13,20

[neck - oxygen]

Page 15

<b>neck</b> 100:11,14 100:17 101:5,16 <b>need</b> 4:1 6:8 10:10 15:25 16:3 19:3 49:14 49:14 51:15 53:12,15 54:6,23 54:23 56:23 67:1 69:15,20,21 74:23,23,24 78:1 79:6,7,7,8 83:4 84:14,15,15,16 84:16,17 96:12 97:1,21 98:10,11 100:23 101:14 104:1 108:15 109:1 <b>needed</b> 70:9 <b>needs</b> 97:2 <b>neighbor</b> 38:14 <b>neighbors</b> 38:1 38:10 39:3,7,10 39:17,20 <b>nervous</b> 106:23 107:2 <b>never</b> 10:6 19:13 30:25 31:8 87:16 88:8,9 91:17,21,21,25 91:25 95:6 104:8 107:4 <b>new</b> 1:1,6,21 2:5 2:8,9,12,12 4:13 4:20,21 11:12,12 12:17,18,19 13:8 13:9 24:25 25:4 32:20,24 34:25 35:15 121:2,7	122:1 <b>ngo</b> 33:20 <b>night</b> 37:24 38:4 40:12 41:5,6 <b>nightmare</b> 106:10 108:4 <b>nine</b> 11:17 <b>nod</b> 5:3 <b>noman</b> 18:7 <b>noon</b> 47:18 <b>nose</b> 18:6,11 <b>notary</b> 1:20 4:12 119:20 121:6 122:25 <b>notes</b> 116:4 <b>number</b> 8:3,6 27:18 31:5 45:5 <b>numbering</b> 27:22 <b>nurse</b> 12:15,15 12:16 <b>nycha</b> 31:24	<b>occur</b> 36:4 <b>occurred</b> 4:24 36:11 <b>office</b> 12:15 13:15,16 75:22 75:24 76:1 <b>officer</b> 1:8,8,8 2:10 4:22 21:9 21:10 37:25 47:20,22 48:3,17 49:1,2,12,18 50:16 51:8 55:14 59:21,25 60:3,23 62:17,24 64:16 65:7 66:8 66:11 67:13 69:14,18 70:1 75:19 83:25 84:3,3,9,10,12 84:13,18 86:1,6 90:25 91:5,8,14 91:23 92:2,5,13 92:23 93:6,9,12 93:16 95:8,12 <b>officers</b> 49:23 50:3,9,13 51:9 83:24 84:23,25 <b>offices</b> 13:25 <b>offline</b> 118:13 <b>oh</b> 21:18 31:24 <b>okay</b> 11:1,14 20:10 40:20 79:22 95:22 97:6,13 98:18 115:7 117:7 118:10,13,14 <b>old</b> 20:11	<b>oliver</b> 24:2,2 <b>once</b> 10:21,22 26:15 32:7 35:11 66:16,16 66:18,18,19 98:4 100:23 103:20 <b>ones</b> 99:4 <b>open</b> 48:20,25 61:4 74:5,9 78:20 94:23 118:12 <b>order</b> 1:19 4:3 25:25 26:3,5,8 26:10,13,15,16 26:20,22 27:1,6 27:9,11 30:10,12 92:17 96:9 <b>orders</b> 26:2 92:24 93:3,5 <b>organization</b> 33:22 <b>original</b> 3:7,13 <b>outcome</b> 24:11 121:14 <b>outside</b> 34:12 38:17 63:25 64:2,3,4,6,8,9,24 65:10,13,16,20 66:2,6 69:4,13 69:19 71:3 72:10,11 74:5 78:15 <b>overtime</b> 105:17 <b>oxygen</b> 19:23 20:5,12 103:10
	<b>o</b> <b>o</b> 2:7 3:1 12:9,9 18:8 24:2 32:18 91:6 119:1 <b>oath</b> 3:9 5:25 6:4 6:4 31:15 <b>object</b> 116:25 <b>objecting</b> 117:24 <b>objection</b> 7:1 9:25 14:4 23:13 104:3 110:9 116:24 118:1,1 118:11 <b>objections</b> 3:16 104:3		

[p - private]

Page 16

<b>p</b>	79:14 81:11	119:8	88:8 91:5,10,10
<b>p</b> 2:1,1 3:1 24:2	82:18,23 83:1,21	<b>placed</b> 59:5 69:6	91:16 92:20,22
24:2	87:4,7,8 106:12	71:4 72:8 84:5	93:1 106:15,17
<b>p.m.</b> 40:25 116:9	<b>period</b> 12:1 14:5	84:10	106:18 111:7
118:23	14:7 20:5,15	<b>plaintiff</b> 1:3,17	<b>portion</b> 97:23
<b>page</b> 28:5,12,13	26:14 34:10	2:3 22:25 25:2	<b>possibly</b> 32:11
31:5 45:7,10,10	39:15 46:7	<b>plan</b> 99:16	<b>pounds</b> 8:9,12
45:11 115:15	62:11 83:20	<b>planning</b> 114:4	<b>practice</b> 17:25
120:3,12,16	99:23 100:2,5	<b>played</b> 12:20	<b>preceding</b> 99:19
122:5	106:2	<b>plea</b> 88:4	<b>precinct</b> 47:15
<b>paid</b> 108:21,24	<b>permitted</b> 104:4	<b>plead</b> 88:6,13	68:1,4 73:8,12
109:2	<b>person</b> 87:16	<b>please</b> 4:17 5:2,7	73:22 80:15,20
<b>pain</b> 81:23,25	89:11	5:12,19 6:9 15:6	82:7,14 83:9,13
82:1 100:10	<b>personal</b> 65:22	28:14 29:6	88:10 94:11
<b>painful</b> 81:24	<b>phone</b> 4:5 36:19	63:11 80:1	<b>prefer</b> 118:4
<b>pandemic</b>	41:12,15,18,20	<b>pled</b> 87:25	<b>prefers</b> 117:7
100:18,21,24	42:4,12,21 44:20	<b>pocket</b> 108:14	<b>prepare</b> 114:12
102:11	44:21 45:17	108:20 109:1,2	114:16
<b>paragraph</b> 30:18	46:1,5,14,18	<b>point</b> 6:8 9:17	<b>preparing</b> 43:10
<b>paragraphs</b> 30:6	52:18 77:6,8,11	12:22 41:17	<b>prescribe</b> 16:10
<b>parents</b> 33:23	77:14,20 78:24	45:25 48:12	16:12
<b>parked</b> 71:4	94:23	51:23,23 54:18	<b>prescribed</b> 16:21
<b>part</b> 15:4,9	<b>photo</b> 113:21	54:25 55:17	17:6 18:25
34:18 58:11	<b>photos</b> 113:17	57:7 58:3 59:2	51:19,24 52:2
72:13 113:21	<b>physical</b> 6:18	61:6,16 67:7	101:12 112:23
115:16	17:22,24 18:2	72:4,24 73:16	<b>prescription</b>
<b>parties</b> 3:5 4:4	24:5 100:7,9,11	75:9,19 83:13	6:24 16:4 51:21
121:13	100:13,16,22,23	86:13 96:20	<b>present</b> 2:14
<b>parts</b> 11:10	100:25 101:4,6,9	116:22 117:13	<b>pretty</b> 56:3
<b>party</b> 27:5	101:12	<b>police</b> 1:7,8,8	<b>previously</b> 8:18
<b>password</b> 77:8	<b>physically</b> 15:13	2:10 4:22 20:15	10:1 11:20
77:20,24 78:24	62:13 71:9	21:1,3,9,10 35:9	12:21 27:12
<b>pay</b> 108:14,16	<b>pick</b> 13:19 46:15	35:10,11,17,19	35:9 77:16
108:22 109:1	46:19 53:7 54:4	37:25 39:1 49:1	<b>prior</b> 9:12 30:25
110:7	97:21	49:2 63:17,22	31:6 86:12
<b>people</b> 23:20	<b>piece</b> 76:5	71:4,6,8,14,18	104:5
39:10,13 40:7	<b>place</b> 4:2 43:16	72:8 83:3,24,25	<b>private</b> 13:17,18
42:25 53:23	43:17 46:15	84:3,25 85:24	

[privilege - receive]

Page 17

<b>privilege</b> 24:20 110:10	105:15 106:8	82:12 85:6 90:5	<b>reached</b> 117:4
<b>probably</b> 81:1 103:21	<b>public</b> 1:21 4:13 20:25 22:2,20 86:21 119:20 121:6 122:25	93:4	<b>read</b> 7:14 29:11 29:13,19 30:5,16 30:19,20 41:1,4 46:8 63:10,13 79:25 80:3
<b>problem</b> 52:10 101:23	<b>pull</b> 62:11	<b>question</b> 5:11,12 5:19,22 9:14 41:1,3 52:3 56:14 63:11,12 65:18 67:16,19 67:25 74:21 79:25 80:2,19 84:7 88:10 93:14 120:16	<b>really</b> 67:16,19 67:24 74:21 78:14 88:9 92:8 95:6 102:17 103:11 104:4
<b>problems</b> 109:6	<b>pulling</b> 60:16	<b>questions</b> 4:9,23 5:3,16 7:18 21:24 31:10 42:15 56:21,24 57:2,8 67:9 74:15,20 76:11 78:13,15,16,21 79:13 81:1 95:19 96:22 97:10 99:18 103:23 116:5 118:8 120:15	<b>reason</b> 6:15 7:9 28:24 33:3 37:18 46:22 92:24 122:5
<b>procedure</b> 1:19	<b>purse</b> 52:14	<b>quite</b> 30:23 44:21 62:8 97:9 113:3	<b>reasonable</b> 95:15
<b>proceeding</b> 31:19	<b>pursuant</b> 1:18		<b>recall</b> 14:18 16:13 24:4,7,10 25:3,4,6 26:25 27:16 32:3 34:19 35:4 37:7 38:25 39:21 41:14,18 42:6,11 42:16 43:6 47:13 48:1,2 50:1,11 51:12 58:10,17 59:1,3 62:15,22 64:13 68:21,22 81:22 82:10 87:9 101:11 104:10 110:18,20 112:8 112:12 113:9,13 115:24 118:8
<b>professional</b> 1:9 2:11	<b>push</b> 57:19 58:14 71:13 94:14 95:11		<b>receive</b> 12:16 14:10,23 43:15 94:3
<b>prosecuted</b> 87:22	<b>pushed</b> 57:20,24 58:5 71:10,12 72:7 94:19,21		
<b>prosecutors</b> 93:7	<b>pushing</b> 60:16 71:10,17 95:13		
<b>protected</b> 106:18	<b>put</b> 44:25 53:6 59:8,9,21,23 60:3 63:25 71:6 71:8,18 72:16,17 72:24 73:2,23 75:16 77:25,25 78:10,17 81:9,10 81:15 82:15,17 82:20 86:19 94:14,15 114:3 116:23	<b>r</b>	
<b>protection</b> 26:1 26:2,3,5,6,8,10 26:13,15,16,20 26:22 27:1,5,9 27:11 30:10,12 92:17	<b>putting</b> 59:11 71:14	<b>r</b> 2:1 3:1 4:8 32:18 37:10 91:6 119:1 121:1	
<b>protective</b> 92:24 93:3,5	<b>q</b>	<b>radix</b> 2:7 <b>ramos</b> 23:21 <b>ran</b> 16:19,24,25 <b>rank</b> 1:6,7 2:10 <b>reach</b> 10:17	
<b>provide</b> 31:17 98:23 105:7	<b>quality</b> 53:17 98:20		
<b>psychiatric</b> 16:4	<b>queens</b> 20:14 21:4 25:12,14,24 44:6,11 47:14,17 51:6 52:21 82:8		
<b>psychiatrist</b> 16:9 17:14 19:22 20:1 103:9,12,15 107:12,18,25			
<b>psychological</b> 24:9			
<b>psychologist</b> 108:6			
<b>ptsd</b> 15:24 101:15,16 104:11,13			

[received - room]

Page 18

<b>received</b> 22:2,18 30:24 44:3	<b>released</b> 88:14 90:22 110:21,24	<b>representation</b> 28:21 45:20	36:1 41:8 46:3 50:7 59:7,24
<b>receiving</b> 14:19 22:1 46:13	<b>remain</b> 95:5	<b>represented</b> 23:24	60:2,20 65:20,23 66:2,2 68:24
<b>receptionist</b> 13:20 14:1	<b>remained</b> 8:13	<b>request</b> 56:17 80:6	73:9 75:15,20 76:1,24 81:2,13
<b>recess</b> 40:23 63:9 79:23 95:25 116:8	<b>remember</b> 20:9 27:15 32:1 36:6 37:5 42:4,22 43:2,3 47:6,10 47:12,22 50:8,9 51:21 60:12,20 63:20 69:2 84:1 87:24,25 101:7 111:4 118:8	<b>requests</b> 55:14 83:6 95:3,15	81:14 82:22 83:10,14 85:8 90:5 95:4,6 96:14 97:15 104:25 105:10 106:15,18 109:14 114:25 115:20 117:4,22
<b>recognize</b> 28:3,7 29:9 45:11	<b>remind</b> 108:4	<b>requires</b> 100:10	<b>rights</b> 25:15 94:6 94:7
<b>record</b> 4:17 5:1 8:3 11:10 27:19 27:20 28:5 31:4 32:17 37:9 40:21,24 63:14 79:24 95:24 96:1 116:24 121:10	<b>renew</b> 26:14	<b>respond</b> 56:19 65:4 69:16 70:4	<b>road</b> 102:18
<b>red</b> 81:19	<b>remotely</b> 4:2	<b>responded</b> 70:25	<b>robely</b> 91:23 92:5,15,23 93:6 93:12,17
<b>redact</b> 9:3 11:10 11:13	<b>repeat</b> 5:12 44:14 110:23	<b>response</b> 5:5 21:15,19 43:1 46:18 49:5,20 51:16 53:25 61:23 65:17 67:2 72:2 74:19 84:19	<b>robey</b> 1:9 91:5,8 91:9,14,25,25 92:3,13,19 93:9
<b>referred</b> 18:18 41:3 63:12 80:2	<b>repeated</b> 85:2	<b>responses</b> 5:2	<b>rodriguez</b> 23:21
<b>referring</b> 20:13 20:23 67:21 92:11	<b>repeatedly</b> 83:3	<b>responsible</b> 23:14 34:9	<b>room</b> 34:12,14 34:15 47:21 48:3,4,7,15,21 48:25 49:7,10,13 50:6,17 51:1,4,5 53:19 55:1 56:11,16 57:13 57:17 59:13,22 62:16 65:9 66:11,24 68:15 70:16,19,23 74:4 75:16,18 76:2,3 76:4,4,6,7,9 77:25 78:10,12
<b>refill</b> 17:3,4	<b>rephrase</b> 5:13 9:15 15:6,7	<b>rest</b> 96:22	
<b>refuse</b> 94:10,16 95:3	<b>reply</b> 45:24	<b>result</b> 15:17,17 100:8 109:9,20 110:16 112:4	
<b>regarding</b> 4:23	<b>report</b> 35:10,10 35:11,12 91:10 91:11,16 92:21 92:22	<b>retain</b> 94:10	
<b>regularly</b> 17:21 52:1	<b>reported</b> 33:5	<b>retained</b> 120:8	
<b>reimbursed</b> 109:3	<b>reporter</b> 4:1,4 5:4,8,21 41:4 63:13 80:3 96:15 97:1 117:16,18 118:22	<b>review</b> 114:16	
<b>related</b> 121:12	<b>reporting</b> 122:1	<b>richmond</b> 121:3	
<b>relationship</b> 9:16,24	<b>represent</b> 4:20 24:18	<b>ride</b> 68:11	
		<b>riding</b> 53:10	
		<b>right</b> 8:17 10:15 21:21 22:6 26:12 31:18	



[room - sic]

Page 19

78:13,14,15,17 78:18,19 79:1,18 80:15 82:17,18 82:20 86:19,24 94:15 102:19 103:4 105:12 <b>ross</b> 104:14,16 <b>roughly</b> 80:13 83:1 107:19 <b>rules</b> 1:19 <b>ruling</b> 24:24 <b>rulings</b> 120:15 <b>rush</b> 112:12	109:9 <b>says</b> 45:7 46:8 <b>scared</b> 106:16 107:2,23 <b>scarf</b> 64:1 65:21 69:5,15 <b>school</b> 12:8,18 43:11,12,14,21 89:12,14,17 <b>screen</b> 27:23,24 28:13 29:4,7 44:25 45:1,17 115:13,17 <b>sdny</b> 34:21,23 <b>sealing</b> 3:6 <b>search</b> 57:18,19 76:14 <b>second</b> 24:12 28:8,22 41:5 44:24 45:6,12 75:25 93:9,12 97:1,14 98:1,10 98:11,16 114:19 114:23 115:10 <b>section</b> 29:11,13 <b>security</b> 8:3,5 22:18 <b>see</b> 15:25 16:1 17:20,22 18:3 27:24 28:12,16 29:7,18 31:1,8 34:15,16 38:17 39:16 45:1,3 48:17 50:5 54:5 54:21,22,22 56:23 61:21 63:7 65:1 66:15 66:25 69:20,21	70:2,7,9,16 71:1 72:21 74:23,23 75:1 78:1,2,3,4,6 79:6,7,8 83:4,4,5 83:5 84:14,15,17 87:14 88:21,23 90:16 94:10,16 94:17 95:14,14 101:14 102:7 105:11,11 106:15,17,18 107:14 108:6 109:1 115:3,13 115:16 116:4 <b>seek</b> 15:14 102:4 <b>seen</b> 17:18 30:25 31:6 34:3 107:13 113:21 <b>send</b> 44:9 46:17 47:2 79:14 <b>sent</b> 45:15 80:17 <b>separated</b> 10:2 26:9 91:21 <b>september</b> 1:13 7:21,23 121:17 <b>sergeant</b> 1:7 <b>serve</b> 13:1 <b>served</b> 93:9,12 93:16,17,24,25 <b>service</b> 3:12 33:14,22 98:24 <b>services</b> 33:14 33:16 <b>set</b> 121:9,16 <b>settlement</b> 107:16 <b>setup</b> 77:8	<b>seven</b> 21:6 80:22 83:14 90:11 96:6,11,21,24 97:12 98:3 117:2 <b>shake</b> 5:3 <b>shanghai</b> 8:1 12:9 <b>share</b> 27:23 <b>shared</b> 31:6 <b>sharing</b> 29:3 31:9 46:11 116:1 <b>sheet</b> 122:1 <b>shield</b> 1:8,8 2:10 <b>short</b> 39:15 40:18,23 46:7 63:9 79:23 83:20 95:17,25 116:3,8 <b>shortly</b> 62:25 <b>shot</b> 45:17 <b>shoulder</b> 52:18 <b>shout</b> 79:16 80:7 80:8 <b>shouting</b> 49:19 79:5,9,9 <b>show</b> 27:17 29:5 44:23 109:16 115:9 <b>showed</b> 114:19 114:23 <b>showing</b> 28:5 30:6 31:4 <b>shuen</b> 17:17 <b>shut</b> 79:5 <b>sic</b> 37:10 44:12
<b>s</b>			
<b>s</b> 2:1 3:1,1 4:8 17:17 21:12 32:18 120:1 122:5 <b>safe</b> 118:17 <b>sarah</b> 2:15 <b>sat</b> 31:22 <b>saw</b> 38:20 48:18 49:24 50:3 87:12 102:9 103:18 107:17 107:17 <b>saying</b> 19:22 27:7,8 30:9,15 30:21 39:19 42:21,23 43:16 49:17 57:10 61:19,23 67:17 69:20 75:23 77:7,7,9 78:1 79:17 80:5 90:16 91:16 103:9 105:7,14			

[signature - suing]

Page 20

<b>signature</b> 28:18 121:20	46:16,17,20,22 47:1,2 49:15	<b>spell</b> 32:16 37:8	<b>steven</b> 27:5 92:9
<b>signed</b> 3:8,9,12 28:25	53:8 54:5,5,21 78:2,3,4,6 79:8	<b>spoke</b> 55:6 67:13	<b>stipulate</b> 4:4
<b>silent</b> 95:5	83:5 84:17	<b>sports</b> 12:20	<b>stipulated</b> 3:4,15
<b>sim</b> 2:3	88:19,21 89:2,5	<b>squad</b> 21:4 44:7 44:11 47:15,18	<b>stood</b> 58:4
<b>sinai</b> 103:5	89:7,10,11,11,16	51:6 52:21 82:9	<b>stop</b> 29:3 44:1 46:11 57:2,6,7
<b>single</b> 82:20	94:17 95:7	82:12	61:25 105:19
<b>sitting</b> 58:1,7,16 66:5 118:7	111:20 114:4	<b>ss</b> 121:3	<b>stopped</b> 22:1 57:6 100:18
<b>situation</b> 37:19 40:4	<b>son's</b> 9:12 34:13 77:9	<b>stamp</b> 31:5	102:11 105:1,3,4
<b>six</b> 21:6 83:1,14 116:11 117:3,5	<b>sorry</b> 21:18 26:19 27:7	<b>stand</b> 106:13	105:8 116:1
<b>skin</b> 101:23 102:5	103:16 115:1	<b>standing</b> 66:5,7 66:9 69:9,19	<b>stopping</b> 31:9
<b>sleep</b> 106:23	<b>sort</b> 22:20	72:10,11	<b>street</b> 2:11
<b>small</b> 13:25 76:6	<b>sought</b> 104:8	<b>start</b> 19:6,8 20:7 22:8 82:4,7,8	<b>strike</b> 93:10
<b>smell</b> 106:12	<b>sound</b> 83:14 85:8	92:22 101:24	<b>subpoenaed</b> 93:19,20
<b>smile</b> 57:10	<b>southern</b> 1:1 23:23 34:22	104:24,25	<b>subscribed</b> 119:15 122:22
<b>social</b> 4:3 8:3,5 22:18 33:10,19	<b>space</b> 20:18,21 20:23 52:9,12	<b>started</b> 23:5 100:20,21	<b>subway</b> 47:9,10
33:20 34:13	53:7,17 103:11	105:20	53:10 106:13
35:23 36:17	<b>spaces</b> 53:12,15	<b>state</b> 1:21 4:13 4:17 11:14	<b>sue</b> 23:3 33:10
37:24 39:4,16	<b>speak</b> 5:7 7:16 39:3 40:15 41:7	32:25 35:15	36:8 40:7 53:22
40:11,12,15	41:9,16 62:20	121:2,7	53:24 93:15
55:10 89:9	83:2 85:1 87:8	<b>statements</b> 28:25	111:13
113:7,10,12	<b>speaking</b> 46:13 55:6 104:3	<b>states</b> 1:1	<b>sued</b> 23:1 25:4
<b>solemnly</b> 4:8	<b>specialist</b> 18:5 18:21 19:24	<b>station</b> 20:15 21:1,3 88:8	<b>suffer</b> 15:24 114:5
<b>son</b> 9:17 10:2 11:18 12:4	<b>specialized</b> 12:12	<b>status</b> 33:4 35:6 35:8,14,16,18	<b>suffered</b> 100:7 105:14
25:12 34:2,2,3,5	<b>specific</b> 80:6	36:15,20 37:14	<b>suffering</b> 118:7
34:6,10,11,13	<b>specified</b> 119:8	37:17 55:22	<b>suffocated</b> 106:14
35:11,22 36:3	<b>spectrum</b> 104:14 104:17	<b>stay</b> 10:6 81:21	<b>suing</b> 33:15,18
37:14 40:4		<b>stays</b> 96:23 118:17	33:19,25 34:8
43:11,12,14,16		<b>stephanie</b> 27:13 92:10	37:14,20 40:5
43:21 44:1,6,7			42:23 74:13
44:10,16 46:1,9			77:16

[supermarket - three]

Page 21

<b>supermarket</b> 44:2	<b>table</b> 74:1	<b>tavares</b> 1:7	<b>thank</b> 11:15 63:8 118:15
<b>supervision</b> 33:24	<b>take</b> 4:2 6:5,8,10 16:16,18,22 17:2 17:8 30:19 34:1	<b>teenager</b> 20:8	<b>therapies</b> 100:11
<b>supervisors</b> 23:18	34:9 40:18 43:11,12 44:7	<b>tell</b> 5:15 6:1 19:19 30:11,14 36:24 37:21 39:7,10 42:1,2 44:10 45:7 48:6 48:10 51:8 61:14 70:7,12,19 70:22 72:23 76:19 77:12 89:13,16 90:2 94:17 103:7,12 104:21 105:5 107:20 108:2	<b>therapist</b> 101:6 101:10,14 108:7 109:1
<b>supplement</b> 107:15	46:1,10 63:4 73:21 75:17 76:23 79:20 95:17 102:15 105:18 116:3 118:18	<b>telling</b> 25:17 54:23 65:2 70:17 94:11 100:22	<b>therapist's</b> 18:2 <b>therapists</b> 18:23 <b>therapy</b> 100:13 100:16,22,23,25 101:4,13
<b>support</b> 10:9,16 14:21,21,23 30:2 33:13 99:7,10,10	<b>supposed</b> 16:16 17:8 61:13	<b>ten</b> 20:11 40:19 42:10 46:3 58:19 65:11,12 69:7 80:12,13 87:7,7,8 99:18 99:23 100:1,4	<b>thin</b> 52:8
<b>sure</b> 15:7 24:18 30:23 40:19 44:21 63:6 86:4 93:17,25 95:22 96:8 98:7 99:11 99:17 109:12,18 113:16 116:1	<b>taken</b> 1:18 5:25 6:24 40:23 63:9 79:23 85:6,15,23 85:24 88:25 89:13 95:25 116:8	<b>test</b> 19:24	<b>thing</b> 42:12 68:14 81:8 85:2 91:11,17 95:19
<b>surgeries</b> 100:4	<b>talk</b> 41:12,18,24 41:25 54:2 55:11 89:15 98:9 107:22,24 114:6	<b>testified</b> 4:13 31:15	<b>things</b> 56:3 79:16 95:5,6 106:22 107:24 108:23
<b>sustained</b> 15:13	<b>talked</b> 41:19 67:15 74:4 99:12	<b>testify</b> 6:15 99:16 119:4	<b>think</b> 26:6,6 28:24 48:15 57:10 63:3 73:1 73:3 75:14 79:2 87:3 90:14 94:1 95:18,19 97:7,20 98:3,5 101:7 102:5 104:16 115:11 116:22 117:4,21
<b>swear</b> 4:5	<b>talking</b> 20:12 21:25 33:8 34:25 35:1,6,21 36:1 40:8,10 42:16 50:17 51:3,6 55:13,20 57:5 62:23 68:23 74:9,12 77:6,19,23 78:24 98:21	<b>testimony</b> 6:19 6:22 7:10 31:17 119:4,7 121:10	<b>thinking</b> 69:1
<b>swore</b> 4:9	<b>tall</b> 47:25	<b>text</b> 30:5 41:15 43:17,18 44:19 45:15,20,22,24 46:8,13	<b>third</b> 115:19
<b>sworn</b> 3:8 4:12 119:4,15 121:9 122:22			<b>thought</b> 53:7
<b>sylvia</b> 2:7			<b>threatened</b> 111:7,13
<b>symptom</b> 106:20			<b>three</b> 13:22,23 35:2 38:7,8 49:8 49:25 50:2,6,9 50:13 51:9,10
<b>symptoms</b> 106:8 106:21,25 107:1 107:5,9,21 108:3			
<b>system</b> 93:1			
<b>t</b>			
<b>t</b> 3:1,1 12:9 119:1 120:1 121:1,1			

[three - understanding]

Page 22

55:8,9,13 70:3,5 79:2,4,17 81:5,7 81:12,21 82:15 83:12,17 85:4,13 96:16 103:2 116:7 <b>throat</b> 18:7,12 <b>till</b> 105:2 <b>time</b> 1:14,20 3:16 8:20,23 9:8 9:19 10:3 12:1 13:5 14:5,7,11 14:24 20:6,15 26:14,19 31:15 32:12 34:2,10,12 35:9,17 39:15 40:14 41:5 43:7 46:7 47:6,11 49:24 50:20,23 51:22 53:18 55:25 61:5 62:11 63:3 64:20,22 66:22 67:5,7,12 70:8 70:12,13,25 72:18 73:5,17 78:11 80:14,20 80:21,25 81:23 82:2,6 83:20 85:14,14,16 88:7 89:2,5 90:8,16 90:19 91:19 94:11,20 96:9 97:8,23 98:4,6 98:14 100:25 102:9 103:5,18 104:1 105:24 106:2 107:19	118:15 119:8 <b>times</b> 10:19 16:24 32:6 38:12,23 41:10 66:19,20,21 69:22,24,25 70:1 70:3,5 79:16,19 80:4,10,12,13 88:1 89:19,20 90:3,11,15,15,20 102:21,25 112:15,17 <b>tired</b> 107:4 <b>today</b> 4:23 6:4 6:16,19,22 7:10 8:8 16:19 51:3 75:1 96:8,11 97:12 98:17 108:13,20 114:6 114:17 116:14 116:16,18 117:8 118:5,11,16 <b>told</b> 20:1 27:10 27:15 35:17 38:14 44:6,7,18 46:1 48:3 54:3,7 72:6 73:3 74:25 85:2 87:20,21 89:6 94:2 103:16 105:4,12 111:8,9,10,16 <b>tookin</b> 85:24 <b>top</b> 87:21,22 89:21 <b>topic</b> 22:23 <b>total</b> 80:5,9 90:15,15 108:17 112:17	<b>totally</b> 57:1 <b>touch</b> 10:6 58:11 106:12 <b>touching</b> 69:10 <b>trainee</b> 12:15 <b>training</b> 12:12 12:16 <b>transcribe</b> 5:4,8 5:22 <b>transcript</b> 119:6 119:7 <b>translate</b> 4:9 115:8 <b>translating</b> 5:20 <b>translation</b> 97:8 98:20 <b>translator</b> 5:20 116:2,10,14 <b>transported</b> 61:3 <b>treatment</b> 15:15 16:4 102:4,11 104:8 108:10,13 108:19 <b>trial</b> 3:17 6:6 99:15 <b>trip</b> 67:14 <b>trouble</b> 18:22 40:7 42:25 53:23 109:10 <b>true</b> 90:1 119:7 121:10 <b>truth</b> 6:1 29:2 119:4 <b>truthful</b> 7:10 <b>truthfully</b> 6:16 <b>try</b> 48:20 117:10 <b>trying</b> 14:14 56:4 61:4 77:15	77:23 94:23 103:24 <b>turning</b> 43:4 <b>twice</b> 102:19 <b>two</b> 16:15 17:6 18:11 30:6 36:16 37:2,24 40:11,12 49:8,25 50:2,6,8,13 51:8 51:10 53:20 55:8,12 60:6 85:9 105:23 112:17 115:23  <b>u</b>  <b>u</b> 3:1 9:23 17:17 18:8 21:12 34:7 102:8 <b>ultimately</b> 89:22 89:24 <b>um</b> 5:3,3 <b>uncomfortable</b> 65:1 <b>underlying</b> 113:1 <b>understand</b> 5:5 5:9,10,11,13,17 5:23,25 6:3,10 6:12 9:14 14:15 29:20,22 30:7,20 56:13 62:8 64:3 66:10 75:5 84:7 93:14 99:21 111:15 113:3 115:1 118:3 <b>understanding</b> 30:8 90:18
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[understood - witness]

Page 23

<b>understood</b> 5:6 5:14,16,18 6:2,7 6:11 56:3 <b>unemployment</b> 14:3,5,9,20 15:1 21:25 <b>unfortunately</b> 92:21 <b>uniform</b> 39:1 <b>united</b> 1:1 <b>university</b> 107:16 <b>unsigned</b> 3:10 <b>upstairs</b> 73:13 <b>use</b> 11:6 35:18 54:23 71:13 74:24 75:1 84:16 94:12,22 95:16 98:14 104:2 <b>utilize</b> 95:2 <b>utilized</b> 94:9	<b>video</b> 113:21 <b>videoconference</b> 4:6 <b>videos</b> 113:17 <b>violence</b> 10:1 94:9,12 95:2,2 <b>virtual</b> 1:17 4:6 <b>vision</b> 11:1 <b>visit</b> 10:10,15 18:20 33:23,24 35:11 40:11 107:15 <b>visiting</b> 25:15 <b>voice</b> 5:7	<b>want</b> 21:23 29:22 33:23 37:19,22 41:25 42:2,3,15,17,19 42:24 46:23 53:22 54:1,1,4,5 54:21,21 56:24 57:9 61:21,21 62:5 65:1,1 66:25,25 72:21 74:25 78:2,3 79:8 83:4,4,5 95:14,14 96:11 96:21,25 97:13 97:25 98:2,16,23 98:24 99:18 108:25 114:9 116:25 117:10 <b>wanted</b> 40:2 48:6 70:7 <b>wanting</b> 96:2 <b>wants</b> 97:3 <b>watching</b> 64:11 64:13,15,17 66:12 <b>water</b> 49:14 54:23,25 79:7 86:12,13 <b>way</b> 5:4 58:23 115:4 121:14 <b>ways</b> 109:19 <b>we've</b> 92:14 96:16,18 98:5 99:4 107:6 108:7,10,19 116:10 117:4 <b>wear</b> 11:2	<b>wearing</b> 19:1,2,3 <b>week</b> 14:12,14 14:16 15:25 16:2 43:4 100:23 101:14 <b>weekly</b> 14:16 <b>wei</b> 17:17 102:8 <b>weight</b> 8:8,9,10 <b>went</b> 18:18,20 35:24 44:2 46:15,19 47:5 52:20 57:16 82:12 87:12,18 90:3 100:25 102:19 103:5,6 <b>whatsoever</b> 35:13 <b>whereof</b> 121:16 <b>wiltshire</b> 1:8 2:10 4:22 59:16 59:17,21,25 60:3 60:23 62:17,24 64:15,16,17 65:7 66:8,12 67:13,15 69:3,9,14,18 70:1,14,24 71:7 75:19 90:25 95:8,12 <b>win</b> 25:22 <b>window</b> 34:17 <b>windows</b> 74:7,8 76:5 <b>wish</b> 107:4 <b>withdraw</b> 111:8 111:8,14 <b>witness</b> 3:8,12 3:13 4:5,6,11 6:5 28:5 31:12
<b>v</b>	<b>w</b>		
<b>v</b> 122:2 <b>valid</b> 105:13 <b>vehicle</b> 61:15 67:15,18 71:4,6 71:8,11 <b>verbal</b> 5:2 <b>verified</b> 4:7 <b>verify</b> 96:15,17 <b>verifying</b> 92:21 <b>veritext</b> 4:5 122:1 <b>version</b> 115:19 <b>versions</b> 115:23	<b>w</b> 17:17 102:8 <b>wages</b> 15:9 <b>wait</b> 5:19 47:20 48:3,6,8 49:6,21 51:17,17 55:9 64:7 <b>waiting</b> 48:4 49:7 50:6 55:8 55:13 63:25 65:9 69:4 86:19 <b>waived</b> 3:7 <b>wake</b> 43:7 107:4 <b>waking</b> 43:9 <b>walk</b> 61:10 <b>walking</b> 61:8 64:18 <b>wall</b> 57:19,20,25 58:6,15,23 59:4 72:7,17,25 74:8 76:5 94:14,20,21 <b>walls</b> 51:4 74:7		

[witness - zheng]

Page 24

118:24 121:8,11 121:16 <b>witnesses</b> 99:2 <b>witnesses'</b> 122:3 <b>word</b> 94:22 104:2 <b>words</b> 29:15,20 29:20 30:7 <b>work</b> 13:12,14 13:19,24,25 22:8 60:6 <b>worked</b> 13:15 14:2 109:13 <b>worker</b> 33:11,19 33:20 34:13 35:23 55:10 89:9 <b>workers</b> 36:17 37:2,25 39:4,16 40:12,13,15 <b>working</b> 13:7,23 <b>workplace</b> 22:14 22:16 <b>works</b> 79:21 95:18 <b>worry</b> 79:14 106:22,24 <b>worse</b> 105:19 <b>wrap</b> 95:20 <b>wrist</b> 71:20,24 73:1,2 <b>wrists</b> 71:22,23 81:16,23 82:1 <b>write</b> 28:10 <b>written</b> 112:25 113:6,15 115:24 <b>wrong</b> 92:13 105:7	<b>wrote</b> 28:21,22 28:25	<b>yuting</b> 2:5
	<b>x</b>	<b>z</b>
	<b>x</b> 1:2,11 4:11 120:1,11 <b>xiamin</b> 1:2,18 2:4 4:7,18 11:5 11:7 119:13 122:2,3,21 <b>xx</b> 8:4 <b>xxx</b> 8:4	<b>z</b> 4:11 37:10 <b>zeng</b> 1:2,18 2:4 4:7,18 11:5,6,7 99:2 116:12 119:13 122:2,3 122:21 <b>zhang</b> 2:5 7:1 9:25 11:7,15 14:4 23:13 24:17,21,23 96:6 96:18,25 97:12 97:25 98:8,14 103:22 104:1 110:9,12,14 116:15,17,21,25 117:7,14 118:1,6 118:14 <b>zheng</b> 117:2
	<b>y</b>	
	<b>y</b> 32:18 91:6 <b>yeah</b> 16:23 25:19 26:2 31:8 35:8 46:9 47:16 49:19 71:16 79:8 90:13 96:10,13 102:6 106:5 <b>year</b> 13:13 31:24 36:12 99:23 100:1,4 101:1,1 112:2 <b>years</b> 11:17,22 13:22,23 17:19 20:11 99:19 <b>yoga</b> 12:23 <b>york</b> 1:1,6,21 2:5 2:8,9,12,12 4:13 4:20,21 11:12,12 12:17,18,19 13:8 13:9 24:25 25:5 32:20,24 34:25 35:15 121:2,7 122:1	



Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

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